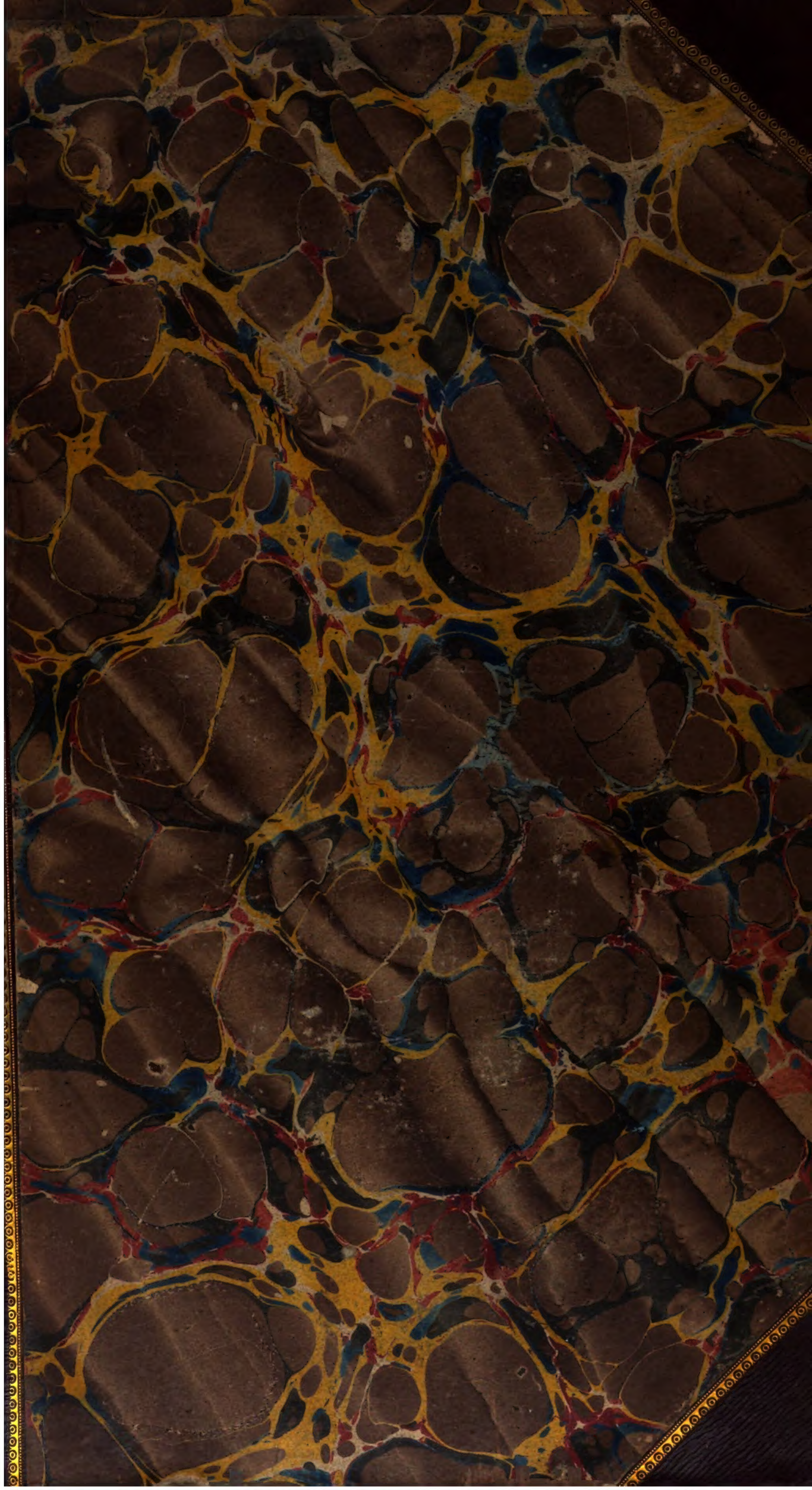
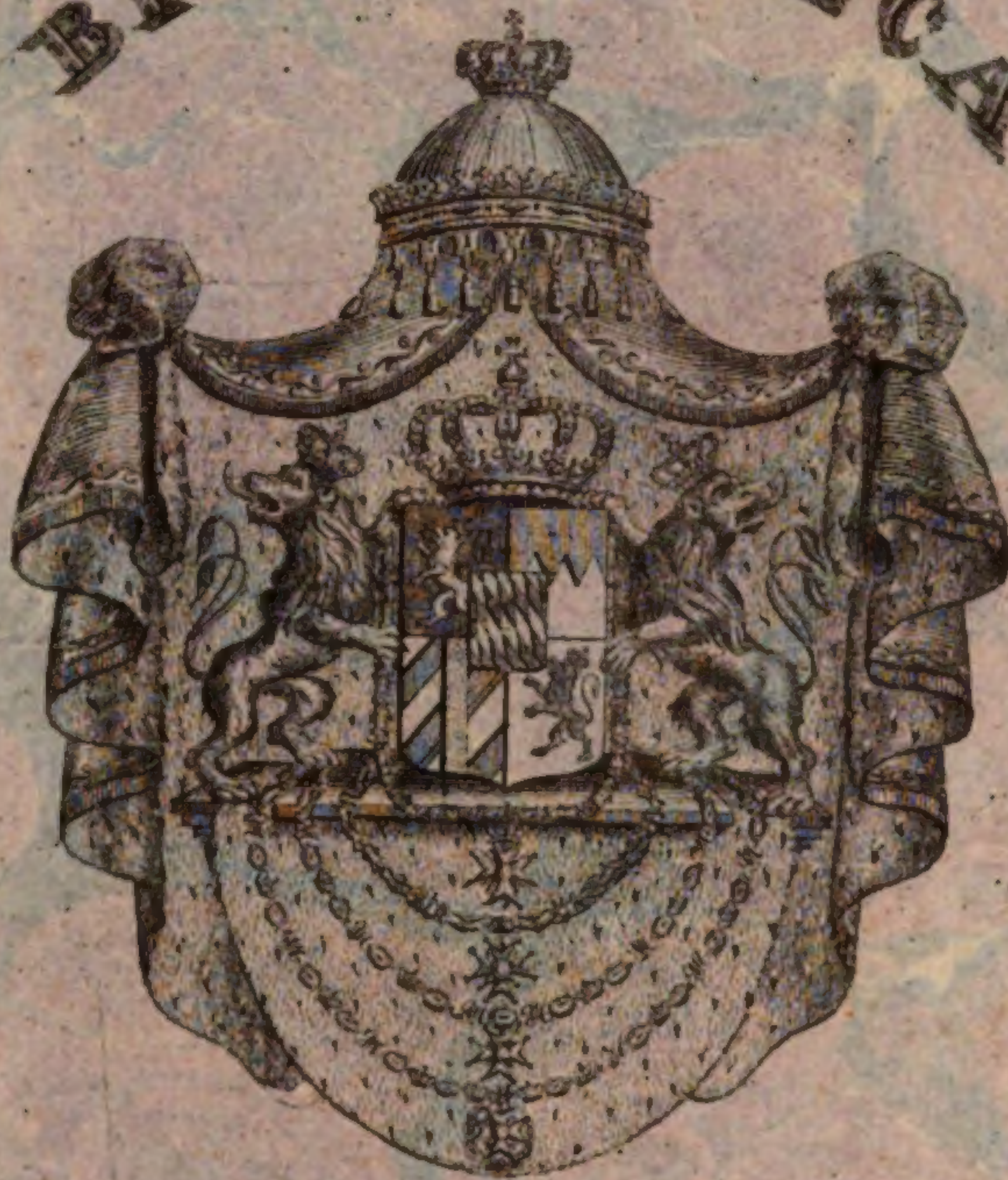
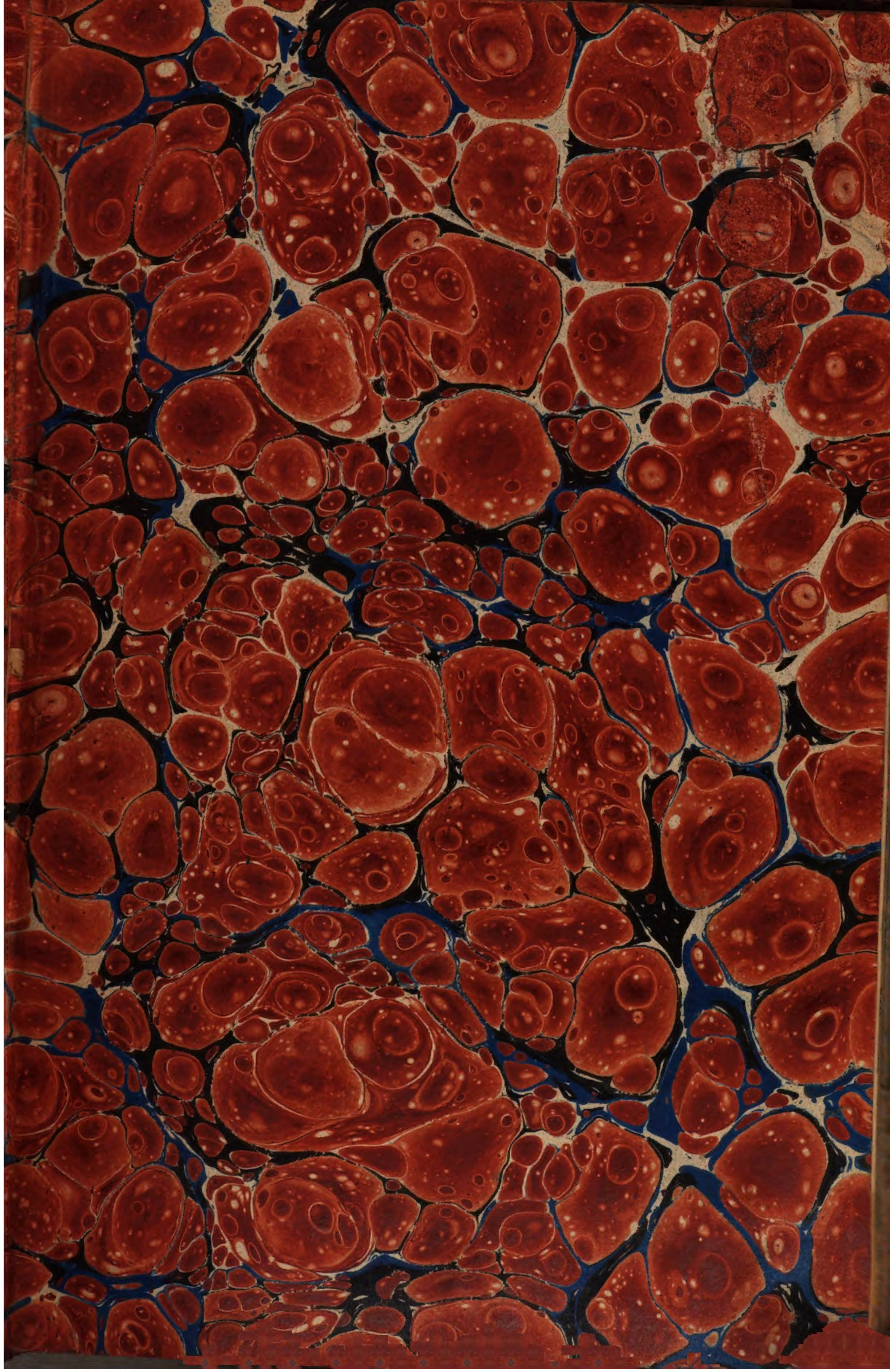




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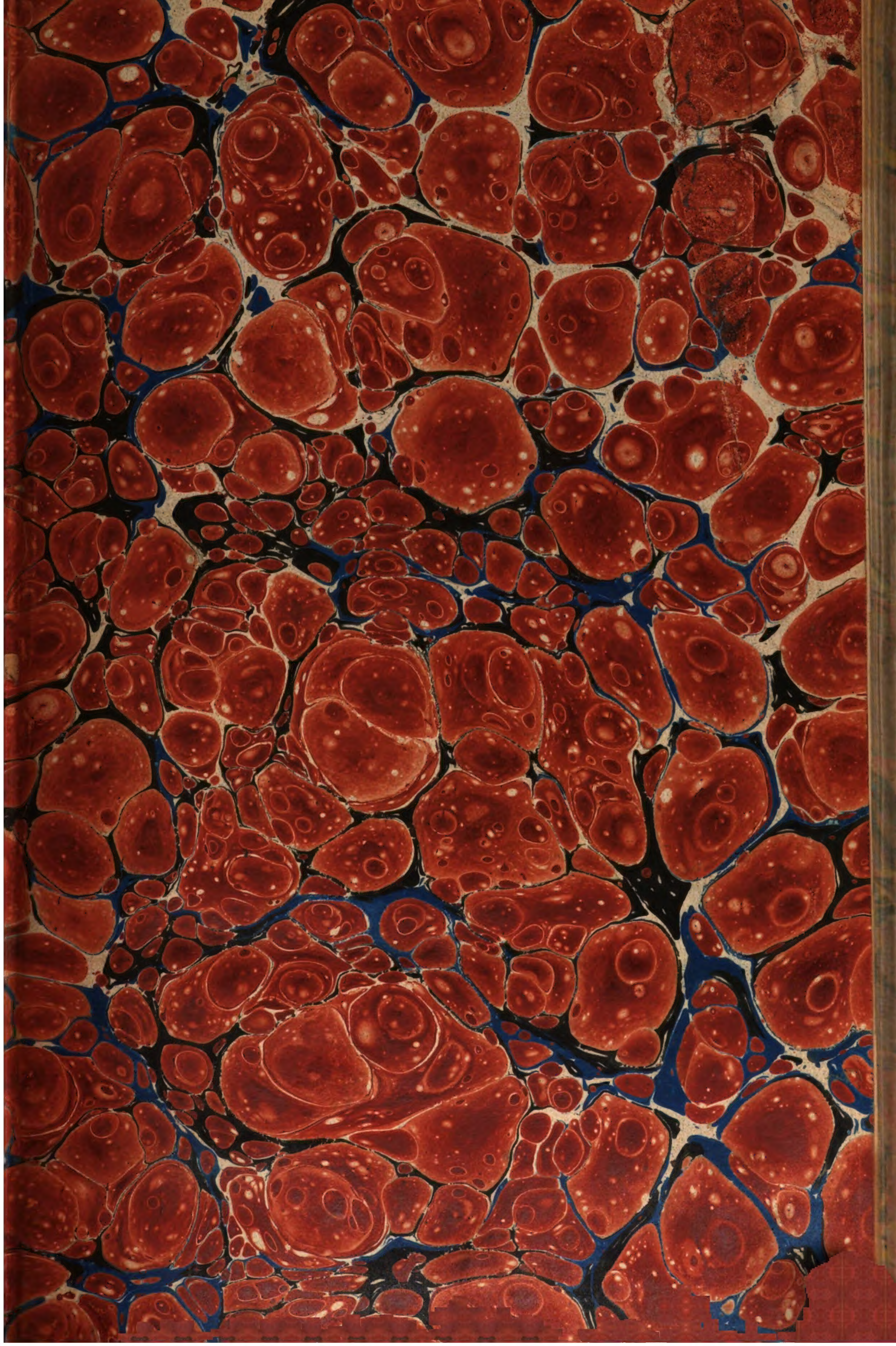
HOUSE OF COMMONS.

Vol. 32

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R E P O R T
FROM THE
S E L E C T C O M M I T T E E
APPOINTED TO CONSIDER
THE
LAWS RELATING TO PRISONS;
&c.

*Ordered, by The House of Commons, to be Printed,
7 May 1822.*

REPORT - - - - - p. 3.

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R E P O R T.

THE SELECT COMMITTEE appointed to consider of the Laws relating to PRISONS; and to report their Observations thereupon to The House;—HAVE, pursuant to the Order of The House, considered the matters to them referred; and agreed to the following REPORT.

YOUR Committee find, that the state and condition of the various Places appropriated for the confinement of Offenders, throughout England and Wales, has been made the subject of repeated inquiry before Committees of this House; and that in the last session, a Bill was prepared under the direction of the Secretary of State for the Home Department, for consolidating and amending the Laws relating to Prisons; which was referred to a Select Committee, by whom its provisions were minutely considered.

Under these circumstances, Your Committee have not thought it necessary to examine evidence; but have felt that they should best discharge their duty, by proceeding at once to the consideration of a measure, calculated to remedy the evils, now existing in many at least of our Prisons; and the importance of removing which, is now generally felt and understood by all who have turned their serious attention to this subject.

With this view, Your Committee have had under their consideration, the Bill which was prepared last year; and without entering here into any detail of the particular provisions of that measure, they wish to state, shortly, a few general principles, upon which they conceive any legislative proceeding upon this subject ought to be founded.

It is no less the interest than the duty of every government, to take care that the individuals who by the laws are subjected to imprisonment, do not, by the effect of that sentence, become worse members of society, or more hardened offenders. It is also of much importance, that Prisons should be so managed, that confinement within them may be an object of terror, and may operate as real punishment upon those for whom it is so intended; at the same time that the exercise of all unnecessary severity is restrained by wholesome regulations. With a view to these objects, the means of a judicious classification of Prisoners, and of constant employment and labour, are essentially necessary; and Your Committee are decidedly of opinion, that it will be proper to secure, by law, the providing of such means, in every County Prison, and in every other Prison in which by charter or otherwise, Prisoners of various classes are allowed to be confined.

The greatest difficulty which Your Committee find to stand in the way of the establishment, generally, of a proper system of Prison discipline, arises from the existence, in almost all parts of the country, of many very small Prisons, belonging to Places in which there is a local jurisdiction. The Returns printed by Order of the House, in 1819 and 1821, present many particulars

particulars relative to such Prisons; and Your Committee have also obtained some further information, by means of some Queries, addressed by them to different magistrates; the result of which they have given in the Appendix to this Report.

It appears, that in many cases the funds applicable to the maintenance of these local Prisons, are of a nature which precludes the possibility of erecting a proper Prison, or providing the means necessary to a good system of discipline; and the number of persons committed in any one year, to some of these Prisons, is so small, as to make it very doubtful whether it would be proper to expend the sum necessary for these purposes, and whether the existing evil may not be remedied by some legislative proceeding of a different nature.

At any rate, it is evident, that any general measure adapted to the regulation of large Prisons, must be inapplicable to such small places of confinement as are here referred to; and before any specific measure with respect to these can be safely adopted, further information appears to be necessary.

Your Committee therefore recommend, at present, the passing of an Act for the purpose of enforcing a good system of Prison Discipline in all large Prisons: They have been engaged in the consideration of a Bill, which they consider calculated to effect this object, which they have instructed their Chairman to bring in, without delay.

7 May 1822.

A P P E N D I X

TO THE REPORT FROM THE SELECT COMMITTEE ON THE
LAWS RELATING TO PRISONS.

NAME OF PRISON.	1. Whether A separate Jurisdiction? to what Offenders extending; and if to Debtors?	2. Whether Prison separate from the County Prison? And out of what Funds the Expenses of the Buildings and Prisoners are paid?
BEDFORD, County: Bedford, Town - -	Yes; and try offenders in the same manner as at county sessions, but does not extend to debtors.	Yes; lately erected in four divisions, with a gaoler's house in the centre; and supported by a rate on the town.
BERKS: Abingdon - - - Maidenhead - - Newbury - - - whose debts arise within the borough, and do not exceed 20 marks; but the practice of the court for the recovery of such debts, has been disused for many years, and consequently no debtors have been confined in the prison. Wallingford - - Windsor, New - -	Yes; extending to petit larceny, misdemeanors, and debtors under 10 <i>l</i> . Yes; extending to offenders only - Yes; extending to all felonies, &c. not amounting to grand larceny; and to debtors Yes; and the justices within the borough, have the like power in regard to offenders, as the justices for the county have in the county at large; extends to debtors. Yes; extending to all offences not affecting life or limb; but not to debtors.	Yes; and the expenses paid by a rate on the borough, in the nature of a county rate. Yes; kept in repair by the corporation, and prisoners supported out of the county rate. Yes; and the building repaired at the expense of the corporation, and the prisoners supported out of the funds of the borough. Yes; the expense of repairing prison defrayed by the town; but the prisoners supported by the county. Yes; built at the expense of his late Majesty; prisoners supported by the borough.
BUCKS: High Wycombe - -	Yes; extending to petty offences only; not to debtors.	Yes; expenses paid out of the poor rates.
CAMBRIDGESHIRE: Cambridge, Town - Wisbech, Isle of Ely -	The magistrates have always acted under a separate jurisdiction. The Isle of Ely has a separate jurisdiction, extending to all offences; the gaol at Ely receives debtors, but the prison at Wisbech, receives only debtors under mesne process.	Yes; expenses paid by a distinct rate on the town. Yes; and is, together with the house of correction at Ely, supported out of the public rates of the isle.
CHESTER, County: Chester, City - - Congleton - - -	Yes; extending to offenders of every description, and to debtors. Yes; for the trial of misdemeanor and petit larcenies committed within the borough; and has a court for the recovery of debts, to an unlimited amount.	Yes; the city gaol house and the house of correction; the expenses of the former, are paid by the corporation; and of the latter, by the city county rate. Yes; supported by the funds of the corporation, which are very small.

3. Whether they contribute to the County Rate?	4. Whether in the habit of sending Prisoners to the County Gaol, &c.	5. What description of Prisoners so sent?	OBSERVATIONS.
No.	No.	Not any.	—
No.	Yes.	Grand and petit larceny, and misdemeanors.	—
Yes.	Yes; and to the house of correction at Reading.	Burglary, grand and petit larceny, assaults, &c.	—
No.	Only for trial at the assizes.	Those only whose offences are not cognizable at the borough sessions.	—
Yes.	Yes; prisoners convicted at the borough sessions, are occasionally sentenced to im- prisonment in the county gaol or bridewell.	For felonies and mis- demeanors in general.	Various instances appear on record, of but two having been held to bail and taken in execution; but none with- in the last 30 or 40 years.
No.	Yes. to the house of correction; prisoners under sentence from the borough sessions.	For capital offences, and	—
No.	Yes.	For felony.	—
No.	Yes.	In special cases of felony, or when the gaol of the town is under repair, by per- mission, but their expenses are paid out of the town rate	—
No.	No.	Debtors only are sent to the county gaol.	—
No.	No.	Not any.	—
Yes.	Yes. of the borough, having no proper place of confinement in their own prison; vagrants also are committed to the county house of correction, there being no residence near the prison for the gaoler, on which account, many escapes have happened.	Persons convicted of mis- demeanors and petit lar- cencies at the quarter sessions	The prison is very small and inconvenient. It has a room, called a debtors room, which for years has been used only for the detention of felons.

NAME OF PRISON.	1. Whether A separate Jurisdiction? to what Offenders extending; and if to Debtors?	2. Whether Prison separate from the County Prison? And out of what Funds the Expenses of the Buildings and Prisoners are paid?
CORNWALL:		
Falmouth - - -	Yes; extending to petty larceny, misdemeanors, and to debtors.	Yes; supported by the town.
Helleston - - -	Yes; extending to offenders for assaults and nuisances; but not to debtors.	Yes; supported by the reveuues of the borough lands.
Launceston - - -	Yes; extending to all crimes not capital, and also to debtors.	Yes; both supported out of the corporation funds.
East Looe - - -	Yes; the corporation is empowered to hold courts for civil pleas, where the debt or damages do not exceed 100 <i>l</i> .	A small prison called The Darkhouse, supported by the borough; offenders for slight crimes only, are confined there.
West Looe - - -	No; the mayor has the power of holding a court of record for all civil actions not exceeding 5 <i>l</i> .	A small room, called The Darkhole, where petty offenders are sometimes confined for a very short time.
Penryn - - -	Yes; extending to grand and petit larcenies; but not to capital felonies, and not extending to debtors.	Yes; the prison supported out of the funds of the corporation, the prisoners out of the poor rates.
Penzance - - -	Yes; extending to all except capital offences, and a court of record to hold pleas in debt, to the amount of 50 <i>l</i> .	Yes; the prison is supported out of the corporation funds, but the prisoners are maintained out of a rate on the town.
Saltash - - -	Yes; extending to all offences, except the loss of life, and also to debtors.	Yes; both supported out of the corporation funds.
Truro - - -	No.	Yes; both supported out of the corporation funds.
CUMBERLAND:		
Whitehaven - - -	No.	No.
DERBYSHIRE:		
Chesterfield - - -	The government of the borough is vested in a mayor and justice, who merely have cognizance to apprehend offenders, hear complaints, and commit them to the county sessions or assizes.	None; except a gaol for debtors, belonging to the Duke of Devonshire.
Derby - - -	Yes; extending to all offences as well as to debtors.	Yes; supported out of the corporation funds.
Wirksworth - - -	Yes; does not extend to debtors.	Yes; supported out of the county rate.
DEVON:		
Barnstaple - - -	Yes; extending to felonies and misdemeanors, and also to debtors.	Yes; the prison kept in repair by the corporation, the prisoners maintained at the expense of the parish.
Bideford - - -	Yes; extending to all offences, felonies, &c. touching the loss of life or limb excepted; also to debtors.	Yes; supported out of the funds of the corporation, and out of the poors rate.
Bradninch - - -	Yes; extending to petit larceny and misdemeanors; not to debtors.	Yes; both supported out of the poors rate.

3. Whether they contribute to the County Rate?	4. Whether in the habit of sending Prisoners to the County Gaol, &c.	5. What description of Prisoners so sent?	OBSERVATIONS.
No.	Yes.	Felons, and sometimes persons charged with misde- meanors.	—
No.	Yes.	Prisoners of all descrip- tions.	—
No.	Yes.	For capital offences only.	—
No.	Yes; and the expenses paid by the borough.	All criminals, except for very slight offences.	—
No.	Yes; and the expenses borne by the borough.	All criminals, except for very slight offences.	—
No.	Yes.	Offenders, for capital of- fences.	—
No.	Yes.	Persons charged with ca- pital felonies.	—
No.	Yes.	For murder.	—
No.	Yes.	Prisoners of all descrip- tions.	—
Yes.	Yes.	All those who are liable to be imprisoned for offences which come under the cogni- zance of county magistrates.	—
The parish contributes to the county rate, by the over- seer of the poor.	—	—	—
No.	Yes.	For all offences where clergy is not allowed.	—
Yes.	Yes.	For all capital offences.	—
No.	Yes.	For capital offences.	—
N.	Yes.	For grand larceny, and other capital offences.	—
No.	Yes.	For grand larceny.	—

(continued.)

NAME OF PRISON.	1. Whether A separate Jurisdiction? to what Offenders extending; and if to Debtors?	2. Whether Prison separate from the County Prison? And, out of what Funds the Expenses of the Buildings and Prisoners are paid?
DEVON—continued.		
Dartmouth - - -	Yes; extending to all offences, excepting for life or limb; and extending to debtors.	Yes; and both supported out of the funds of the corporation.
Exeter - - -	Yes; extending to all offences, except treason; and also extending to debtors.	Yes; the expenditure on the building paid out of the rate of the city, and the prisoners supported by the mayor and corporation.
Oakhampton - - -	Yes; extending to petit larceny only.	Yes; supported out of the funds of the corporation
Plymouth - - -	Yes; extending to petit larceny, and to debtors.	There is a prison, and also a house of correction; the expenses of the former are defrayed by the mayor and commonalty; of the latter, out of the poors rate.
Southmolton - - -	Yes; the magistrates possessing the same power as the county magistrates, and extending to debtors for sums under 50 <i>l</i> .	Yes; the buildings supported out of the funds of the corporation; the prisoners, by the parish officers.
Torrington - - -	Yes; extending to petty offences; not to debtors.	Yes; supported out of the poors rate.
Totness - - -	Yes; extending to petit larceny, and to debtors.	Yes; supported by the corporation.
DORSET:		
Bridport - - -	Yes; extending to like offences, triable by county magistrates, and to debtors.	Yes; building supported by the corporation, the prisoners by the town.
Lyme Regis - - -	Yes; extending to all offences not affecting life or limb, and to debtors under 40 <i>s</i> .	Yes; prison supported out of the corporation funds, prisoners out of the county rates.
Poole - - -	Yes; extending to all crimes, except where the punishment is death.	Yes; prison and prisoners supported by a rate on the inhabitants.
Wareham - - -	There is a general sessions held once a year, and a court of record extending to debtors.	A small lock-up house, for temporary confinement.
Weymouth - - -	Yes; extending to all crimes, excepting where the punishment is death, and also to debtors.	Yes; buildings and prisoners supported out of the funds of the corporation.
DURHAM:		
(No Return.)		

NAME OF PRISON.	1. Whether A separate Jurisdiction? to what Offenders extending; and if to Debtors?	2. Whether Prison separate from the County Prison? And out of what Funds the Expenses of the Buildings and Prisoners are paid?
ESSEX:		
Barking - - -	No.	A house of correction, supported by the county rate.
Chelmsford - - -	No.	The county gaol and the house of correction are in this town, supported out of the county rate.
Colchester - - -	Yes; extending to all offences, and also to debtors.	Yes; one prison for the confinement of debtors, and another for felons; the former supported out of the revenues of the corporation, the latter by a rate on the town.
Halsted - - -	No.	Contains a house of correction, which is supported out of the county rate.
Harwich - - -	Yes; to all offences not capital, and to debtors.	Yes; supported by rate.
Newport - - -	No; Newport being within the jurisdiction of the county, and of the division of Walden.	A house of correction, supported from the county rates.
Romford - - -	Yes; extending to petit larceny, and even to capital offences, but the latter not exercised for the last sixty years; does not extend to debtors.	Yes; supported by the liberty, in the nature of a county rate.
Saffron Walden - - -	Yes; not extending to capital offences, but extending to debtors.	Yes; a gaol and a house of correction, both supported out of the parish rates.
GLOUCESTER - - -	- - - No Return.	—
HEREFORDSHIRE:		
Hereford - - -	Yes; extending to all offenders, and to debtors.	Yes; supported out of the funds of the corporation.
HERTFORD:		
St. Albans - - -	The liberty of St. Alban is a separate jurisdiction, and extends to all offenders as well as to debtors. The borough of St. Alban is also a separate jurisdiction, and extends to all offenders as well as to debtors. The county of Hertford (excluding the liberty and borough of St. Alban) forms another separate jurisdiction, and extends to debtors.	A separate prison for the liberty; a separate prison for the borough; and a separate prison for the county. The expenses of them paid out of distinct levies, made within the respective jurisdictions.
Berkhamstead - - -	No.	A house of correction, supported out of the county rate.
Hitchin - - -	No.	A small house of correction near the town; but it is one of four, supported at the general expense, and for the general use of the county.

3. Whether they contribute to the County Rate?	4. Whether in the habit of sending Prisoners to the County Gaol, &c.	5. What description of Prisoners so sent?	OBSERVATIONS.
Yes.	Yes.	For grand larceny, and crimes of magnitude.	—
—	—	—	—
No.	Yes.	For capital offences.	—
Yes.	Yes.	For capital offences.	—
No.	Yes.	For capital offences.	—
Yes.	Yes.	For capital offences.	—
Formerly for building the county gaol, but not at pre- sent.	Yes.	For capital offences.	—
No.	Yes.	For murder, burglary, &c.	—
—	—	—	—
No.	Yes.	For capital offences.	—
No.	Yes.	For capital offences.	—
Yes.	Yes.	Prisoners of all descrip- tions for trial; and in some cases for a limited period of confinement, when the ob- ject of punishment would not be so well answered at Berkhamstead.	—
Yes.	Yes.	All prisoners, except such as are committed for slight offences.	—

NAME OF PRISON.	1. Whether A separate Jurisdiction? to what Offenders extending; and if to Debtors?	2. Whether Prison separate from the County Prison? And, out of what Funds the Expenses of the Buildings and Prisoners are paid?
HUNTINGDON - -	- - - No Return.	—
KENT:		
Dartford - -	No.	No.
Deal - -	Yes; extending to offences under grand larceny, and not to debtors.	Yes; paid out of a town rate, in the nature of a county rate.
Dover - -	Yes; extending to offences of all descriptions, and to debtors.	Yes; supported by a rate on the town and liberties, in the nature of a county rate.
Faversham - -	Yes; extending to all offenders (except traitors) and to debtors.	Yes; paid out of the funds of the town, aided by a rate on the inhabitants.
Hythe - -	Yes; extending to all offenders, but not debtors; debtors are committed to Dover Castle.	Yes; paid out of a rate assessed on the town and its liberties.
Lydd - -	Yes; extending to all offenders, but not to debtors.	Yes; supported out of the funds of the corporation.
Queenborough - -	Yes; extending to misdemeanors; not extending to debtors.	Yes; supported out of the corporation funds.
Rochester - -	Yes; extending to all offences, excepting treason; and also to debtors.	Yes; supported out of the funds of the corporation.
New Romney - -	Yes; extending to all offenders, but not to debtors.	Yes; paid out of the funds of the corporation.
Sandwich - -	Yes; extending to all offences, including debtors.	The prison belongs to the Crown, and is kept in repair at the expense of the bailiff, who has a patent of his office; prisoners supported by a rate on the town, &c.
LANCASTER - -	- - - No Return.	—
LEICESTER:		
Hinckley - -	No.	A small bridewell, not much used; the expenses of repairs and prisoners paid out of the county rate.
Leicester - -	Yes; extending to all offences, and to debtors.	Yes; paid out of a rate levied on the inhabitants of the town, in the nature of a county rate.
Melton Mowbray -	No.	Yes; supported by the county.

3. Whether they contribute to the County Rate?	4. Whether in the habit of sending Prisoners to the County Gaol, &c.	5. What description of Prisoners so sent?	OBSERVATIONS.
—	—	—	—
Yes.	Yes.	Prisoners of all descriptions committed by county magistrates.	—
No.	No.	Not any.	—
No.	Very rarely.	The few prisoners, so sent, have been smugglers, except three persons charged with capital felonies, who were sent under 60 Geo. 3, c. 14.	—
Such part of the parish as is within the liberty, but they do not contribute to the town rate.	No; but feel at liberty to send the description of prisoners mentioned in 60 Geo. 3, c. 14.	Not any.	—
No.	No.	Not any.	—
No.	No.	Not any.	—
No.	Yes.	For felony.	—
No.	Particular cases only.	Persons occasionally moved by Habeas Corpus, having committed crimes which they suspect has excited the indignation of the inhabitants.	—
No.	No.	Not any.	—
No.	No; the magistrates have not the power.	Not any.	—
—	—	—	—
Yes.	Yes.	For felonies, misdemeanors, &c.	—
No.	No.	Not any.	—
Yes.	Yes.	Prisoners for trial at assizes or session, and those sentenced to hard labour at the house of correction, Leicester.	—

NAME OF PRISON.	1. Whether A separate Jurisdiction? to what Offenders extending; and if to Debtors?	2. Whether Prison separate from the County Prison? And out of what Funds the Expenses of the Buildings and Prisoners are paid?
LINCOLN:		
Boston - - -	Yes; extending to all offences, not capital felonies, and to debtors.	Yes; supported by a county rate on the borough only.
Falkingham - -	Has no jurisdiction - - -	The prison for the southern division of the parts of Kesteven, is situate at Falkingham.
Grantham - - -	Yes; extending to all offences not capital, and to debts not exceeding 40 <i>l</i> .	Yes; supported by a rate on the soke.
Great-Grimsby - -	Yes; extending to petit larceny and misdemeanors, and no doubt to transportable felonies, but not exercised; extending also to debtors.	Yes; the expense of the building paid by the corporation; but the gaoler's salary and expenses of the prisoners, are paid by a rate on the inhabitants.
Kirton Bridewell -	Yes; extending to petit larceny and misdemeanor, and to debtors in execution, from courts of request in the parts of Lindsey.	Yes; supported by a rate on the lands within the parts of Lindsey.
Lincoln, City - -	Yes; extending to all offences; and to debtors.	Yes; supported by a rate on the city and county of Lincoln.
Louth - - -	Yes; extending to all offences, not capital, and to debts under forty shillings.	Louth contains the county prison for the parts of Lindsey.
Spalding - - -	No separate jurisdiction; extends to debtors under 5 <i>l</i> .	Yes; expenses paid out of the county rate.
Stamford - - -	Yes; extending to all offences; and to debtors under 40 <i>l</i> .	Yes; supported by a county rate on the borough.
MIDDLESEX - - -	No Return.	—
MONMOUTH - - -	No Return.	—
NORFOLK - - -	No Return.	—
NORTHAMPTON:		
Daventry - - -	Yes; extending to all offences not punishable by death; and to debts under 100 <i>l</i> .	Yes; expenses defrayed by rate on the borough.
Peterborough - -	Yes; extending to every description of offenders, and also to debtors.	Yes; a gaol and a house of correction; the expenses of the former, are borne by the Marquis of Exeter; and the house of correction is supported out of the rates of the liberty, as are also the prisoners.
NORTHUMBERLAND:		
Newcastle-upon-Tyne	Yes; extending to all offences, and to debtors.	Yes; a common gaol, and a house of correction, both supported by a rate on the county of the town.

3. Whether they contribute to the County Rate.	4. Whether in the habit of sending Prisoners to the County Gaol, &c.	5. What description of Prisoners so sent?	OBSERVATIONS.
No.	Yes.	For capital offences.	—
—	—	—	—
No.	Yes.	For trial for capital offences, and when under sentence of transportation.	—
No.	Yes.	For all offences exceeding petit larceny.	—
No.	Yes.	Prisoners sentenced to limited confinement and to hard labour.	—
No.	No.	Not any.	—
Yes.	Yes; and occasionally to Kirton-bridewell.	Persons committed for trial on charges of felony, and other offences, and convicted prisoners from sessions.	The prison at Louth, appears to be the prison for a particular division of the county of Lincoln.
Yes; the county rate for parts of Holland.	Yes.	For grand larceny.	—
No.	Yes.	For capital offences.	—
—	—	—	—
—	—	—	—
—	—	—	—
No.	Yes.	For any offence.	—
No.	No.	Debtors arrested within the liberty, are sometimes conveyed to the county gaol.	—
No.	No; having no authority to do so.	Not any.	—

NAME OF PRISON.	1. Whether A separate Jurisdiction? to what Offenders extending; and if to Debtors?	2. Whether Prison separate from the County Prison? And out of what Funds the Expenses of the Buildings and Prisoners are paid?
NOTTINGHAM:		
Newark - - -	Yes; extending to all offences, and to debts under 300 <i>l</i> .	Yes; the expenses of the gaol are defrayed out of certain funds belonging to the town; the allowance to the prisoners is paid out of the county rate.
Nottingham - - -	Yes; extending to criminals and debtors.	Yes; a gaol and a house of correction, supported by a rate on the county of the town of Nottingham.
OXFORD:		
Banbury - - -	Yes; extending to all offences; and to debtors to the amount of 40 <i>l</i> .	Yes; expenses paid by the borough
Chipping Norton - - -	No.	A small prison, which is used merely as a place of safe custody, till offenders are committed to the county gaol; the expenses of which are defrayed by the parish fund.
Oxford - - -	Yes; extending to criminals of every description, and also to debtors.	Yes; supported by a rate on the city
RUTLAND - - -	No Return.	—
SALOP:		
Bridgnorth - - -	Yes; extending to all offenders; and to debtors, not exceeding 10 <i>l</i> .	No separate prison from the county, except a small place of temporary confinement.
Oswestry - - -	Yes; extending to all offences, not capital, and to debtors.	Yes; expenses paid by a special rate, raised upon the inhabitants of the town.
SOMERSET:		
Axbridge - - -	Yes; extending to felonies, trespasses and other misdemeanors; not to debtors.	Yes; the building supported out of the funds of the borough chamber; the prisoners are paid by the parish rate.
Bath - - -	Yes; extending to misdemeanors, &c. but not to felonies; extends also to debtors.	Yes; supported out of the funds of the corporation.
Bridgwater - - -	Yes; extending to felonies, trespasses, &c. and also to debtors.	Yes; very ancient and incommodious, supported out of the funds of the corporation.
Bristol - - -	Yes; extending to all descriptions of offenders, and also to debtors.	Yes; a bridewell and a common gaol, supported by the corporation.
Shepton Mallet - - -	No.	No.

3. Whether they contribute to the County Rate.	4. Whether in the habit of sending Prisoners to the County Gaol, &c.	5. What description of Prisoners so sent?	OBSERVATIONS.
Yes.	Yes.	For capital offences only.	Although not in the habit of sending other prisoners to the county gaol, the magistrates of Newark have the right to send all classes there.
No.	No.	Not any.	—
No.	Occasionally.	For capital offences, under 1 Geo. 4, c. 14, the expenses to be repaid as therein directed.	—
Yes.	Always.	Persons either subject to trial or imprisonment.	—
No.	No.	Not any.	—
—	—	—	—
No; but have a rate in the nature of a county rate, assessed within the town and liberty of Bridgnorth.	Yes; and the expense of maintaining them is defrayed by the Bridgnorth rate.	Prisoners for all offences cognizable before a magistrate, and debtors under 10l.	—
No.	Yes. sent to the county gaol, until the holding of the sessions for the borough of Oswestry.	Prisoners charged with a serious offence, are generally	—
Yes.	Sometimes.	For felony and misdemeanors.	—
The city has lately been rated to the county rate, but has not contributed towards it; and which is now under legal investigation.	Yes.	For felony.	—
Yes.	Yes.	Criminals, charged with capital offences and grand larcenies.	—
No.	No.	Not any.	—
Yes.	Yes.	Prisoners of all descriptions.	—

NAME OF PRISON.	1. Whether A separate Jurisdiction? to what Offenders extending; and if to Debtors?	2. Whether Prison separate from the County Prison? And out of what Funds the Expenses of the Buildings and Prisoners are paid?
SOUTHAMPTON:		
Andover - - -	Yes; extending to all offences not capital.	Yes; supported out of the parish rates.
Basingstoke - - -	Yes; extending to all offences not touching the loss of life or limb, and also to debtors.	Yes; the expense of the buildings paid out of the corporation funds; that of the prisoners out of the poors rate.
Gosport - - -	No.	The bridewell in the town belongs to the county, and is supported out of the county rate.
Newport, Isle of Wight	Yes; extending to all offences not touching the loss of life or limb; also to debtors.	The borough gaol is the county bridewell for the Isle of Wight, and is maintained by a county rate on the inhabitants of the island.
Odiham - - -	No.	No; Odiham is the site of one of the county bridewells.
Portsmouth - - -	Yes; extending to all offences not capital, and to debtors.	Yes; the expenses of which are paid out of the borough rate.
Southampton - - -	Yes; extending to all offences; but in cases of capital offences, application is either made to the Home Department for this town to be named in the commission for holding the assizes, or the prisoner is removed to Winchester.	Yes; three small prisons, which, with the prisoners, are supported by a rate on the county of the town.
Winchester - - -	Yes; extending to all crimes not capital, and also to debtors.	Yes; supported by a rate on the inhabitants, in the nature of a county rate.
STAFFORD:		
Lichfield - - -	Yes; extending to all offences, and also to debtors,	Yes; the expenses of the building are defrayed by the corporation; the expense of the prisoners, by the county of Lichfield.
Newcastle under Lyme	Yes; extending to all offences not capital, and also to debtors.	Yes; the prison is kept in repair at the expense of the corporation, the parish defrays the expense of the prisoners.
Walsall - - -	Yes; extending to all offences not capital, and also to debtors.	Yes; the expenses of the buildings are paid out of the funds of the corporation, the prisoners are supported out of the poors rate.
SUFFOLK:		
Ipswich - - -	Yes; extending to all offences, and also to debtors.	Yes; supported by a rate on the inhabitants of the borough.
Southwold - - -	Yes; extending to all felonies and inferior crimes, and also to debtors.	Yes; supported by the corporation.
Sudbury - - -	Yes; extending to petit larceny, not to debtors.	Yes; supported out of the corporation funds.
Woodbridge - - -	No.	A county bridewell.

3. Whether they contribute to the County Rate?	4. Whether in the habit of sending Prisoners to the County Gaol, &c.	5. What description of Prisoners so sent?	OBSERVATIONS.
No.	Yes.	For capital offences.	—
Yes.	Yes; to the county gaol only.	For capital offences.	—
Yes.	Yes.	All felons, and prisoners for misdemeanors.	—
Yes; excepting as to bridewell and bridges, and in those cases, to the Isle of Wight rate.	Yes.	For offences not triable at the borough sessions.	—
Yes.	Yes.	Prisoners of all descrip- tions.	—
No.	Yes; to the county gaol.	Such persons as, from the magnitude of their offences, cannot be tried in the bo- rough.	—
No.	Sometimes.	For capital offences.	—
No.	Yes.	For capital offences.	—
No.	No.	Not any.	—
Yes.	Yes.	For felonies and other offences.	—
Yes.	Yes.	Prisoners charged with capital offences.	—
No.	No.	Not any.	—
No.	No.	Not any.	—
Yes.	Yes.	Persons guilty of felony, and sometimes vagrants.	—
Yes.	Yes.	For felonies, larcenies, and misdemeanors.	—

NAME OF PRISON.	1. Whether A separate Jurisdiction? to what Offenders extending; and if to Debtors?	2. Whether Prison separate from the County Prison? And out of what Funds the Expenses of the Buildings and Prisoners are paid?
SURREY: Kingston - - -	Yes; extending to all offenders, and to debtors.	Yes; supported at the expense of the corporation.
SUSSEX - - -	- - - - No Return.	—
WARWICK - - -	- - - - No Return.	—
WESTMORLAND: Kendal - - -	Yes; extending to all offences not punishable by loss of life or limb, and to debts under 40/.	No; the burgh and two wards defray the expense of the building; the burgh pays the expenses of its own prisoners.
WILTS: Wilton - - -	Yes, as far as respects the powers of the magistracy in regard to offenders; a borough court for recovery of small debts, was formerly held in the borough, but has not been held for many years.	A small prison in the borough, repaired by the corporation, but only used as a constable's lock-up-house.
WORCESTER: Bewdley - - - Evesham - - - Worcester, City - - -	Yes; extending to felonies and misdemeanors, and also to debtors. Yes; extending to all offences, and to debtors. Yes; extending to all offences, not touching the life or lives of members; also to debtors.	Yes; supported by the corporation - Yes; supported by a rate on the borough. Yes; expenses defrayed out of a rate on the county of the city.
YORK, (East Riding): Kingston-upon-Hull - -	Yes; extending to debtors, as well as to criminals.	There are two prisons for the town and county, the one a common gaol, the other the house of correction; the former kept in repair at the expense of the corporation; the latter, by a county rate.
YORK, (North Riding) -	- - - - No Return.	—
YORK, (West Riding) -	- - - - No Return.	—

3. Whether they contribute to the County Rate.	4. Whether in the habit of sending Prisoners to the County Gaol, &c.	5. What description of Prisoners so sent?	OBSERVATIONS.
Yes.	Yes.	Vagrants, thieves, and other offenders.	—
—	—	—	—
—	—	—	—
No.	Yes.	For all offences of a higher nature than petit larceny.	—
Yes.	Yes.	Prisoners of every de- scription.	—
Yes.	Yes.	Of every description.	—
No.	Yes.	For capital felonies only.	—
No.	No.	Not any.	—
To the rate of the county of the town of Kingston- upon-Hull.	Yes; to both prisons.	Felons, and persons charg- ed with crimes of the most serious consequence, to the gaol; those charged with offences of less magnitude, to the house of correction.	—
—	—	—	—
—	—	—	—

20.

R E P O R T

FROM THE

SELECT COMMITTEE

ON THE STATE OF

THE

P E N I T E N T I A R Y

A T M I L B A N K.

Ordered, by The House of Commons, to be Printed,
8 July 1823.

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R E P O R T.

THE SELECT COMMITTEE appointed to inquire into the present State of The PENITENTIARY at Milbank; and who were empowered to report the MINUTES of EVIDENCE taken before them;—HAVE, pursuant to the Orders of The House, examined the several Matters referred to them; and agreed to the following REPORT:

YOUR Committee wish, in the first instance, to place before the consideration of the House, the history of the Establishment, into the state and management of which they have been appointed to inquire.—As early as the 19th of the late King, a plan was laid down in a statute, c. 74. passed in that year, for the adoption of a system of penitentiary imprisonment, which should be calculated to reform offenders. The preamble of that statute sets forth, “ That whereas, if many offenders, “ convicted of crimes for which transportation has been usually inflicted, “ were ordered to solitary imprisonment, accompanied by well regulated “ labour and religious instruction, it might be the means, under Providence, “ not only of deterring others from the commission of the like crimes, “ but also of reforming the individuals, and inuring them to habits of “ industry.” This Act was drawn up under the direction of Sir *William Blackstone*, with the advice and concurrence of Mr. *Howard*. No measures were, however, taken to carry this plan into execution, till the year 1794, when an Act passed, (34 Geo. III. c. 74.) for the building of a Penitentiary house for the confinement and employment of convicts; and a contract was entered into with Mr. *Jeremy Bentham* for that purpose. So many difficulties, however, arose in the mode of carrying this measure into execution, that the contract was re-purchased, and the plan abandoned.—A Committee of the House of Commons sat in 1811, which entered fully into the merits of this important question, and they concluded their report by recommending that an arrangement should be made with Mr. *Bentham* for this purpose, which, in fact, afterwards took place. Parliament, however, did not lose sight of this momentous subject, and soon after the publication of this report, and the final settlement with Mr. *Bentham*, the foundation of the present Establishment was laid; and a part of the building was opened for the reception of convicts in June 1816. This Establishment may be considered as now completed, and contained,

when Your Committee visited it, 869 prisoners ; viz. 566 males, and 303 females. Your Committee examined, with the greatest attention, into the details of the institution ; they saw every prisoner, and visited each person twice in the infirmary and sick wards. They made themselves acquainted with the internal discipline and arrangement of the institution, and they wish to impress upon the House their conviction, that on the whole it may fairly be considered as being ably and successfully conducted. The attention of the Managing Committee appears to them to be sedulous and unremitting ; the Visitors and officers, diligent and attentive, and the whole arrangements to have been contrived with great skill, and executed with regularity and attention.—As might have been naturally expected, a system so novel in its nature, and to be applied to so many persons, varying in character, age, and sex, could not obtain complete success at once ; and those who had the control and management of this great experiment on the penal law of the country, had not only something to learn from experience themselves, but also much to teach to others, who, under them, were to carry their arrangements into execution. Difficulties have thus arisen from the choice of officers ; from the change of persons who had the direction of the Establishment ; from the alterations that have necessarily been made in the management of the prisoners ; from the nature of the labour to be introduced, and from a variety of other causes, to which the best managed institutions are at all times exposed ; but Your Committee are of opinion, that these difficulties are almost all of them surmounted, and that the Establishment bids fair to equal the expectations of its friends and supporters. Among the improvements in the system lately adopted, Your Committee think it not the least important, that it has been thought proper, to place at the head of the Establishment in the prison as Governor, a person of education and superior condition in life ; and they are of opinion, that this office should always, in future, be held by a person of that description. Steps are now taking to remedy any defects which experience has found to exist in the rules and regulations of the Establishment ; a better system of labour, both as to its productive and useful nature, is about to be established, and exercise is to be more generally extended than heretofore, to all classes of the prisoners.

Your Committee, however, wish to express an opinion, that the monotony of a life of bodily labour, unaccompanied with any mental recreation, may have the effect, in some instances, of injuring the faculties of persons of a higher order of intellect than that which is generally possessed by the prisoners who are confined there. It is in evidence before them, that the chaplain alone has the power of placing only those books in the hands of prisoners, which are in the collection of the Society for promoting Christian Knowledge : that list contains few books that are otherwise than of a serious and religious cast ; and though Your Committee are of opinion, that all the books placed in the hands of prisoners should have, even while they amused and instructed, a direct tendency to better the morals and correct the vices of those who read them, yet they feel confident that, in some cases, a selection could be made of books not in the above-mentioned list, which might be read with the greatest advantage by prisoners.

In the summer season, the prisoners have two or three hours day-light to employ in reading, after they retire to their cells ; and there does not appear any rational objection to thus occupying the time of the prisoners who are in a condition to benefit by instruction ; to whatever class of life they belong, they will not be the worse on their discharge from prison, by having, whilst in confinement, acquired the disposition to find amusement in the occupation of their minds ; they will, of course, be less liable to those feelings

feelings of despair and weariness of thought, which imprisonment for a long term of years is so calculated to produce, and when discharged, there may be every reason to hope, that along with the recollection of the punishment to which they have been subjected, will attach the habit of seeking for amusement and mental relief, by other means than those which arise from the vices and passions of mankind.

There is another subject which Your Committee wish to press upon the consideration of the House, viz. the species of labour which is taught in the Penitentiary. They called for a return upon that subject, by which it appears that the principal trades practised there, were those of tailor, shoemaker, and weaver: Of the first, there were 255 operative workmen, not including 9 cutters and 6 instructors; 54 weavers and 18 winders; and 37 shoemakers; and out of 452 male prisoners in the Penitentiary, between the 30th of October and the 4th of June 1823, 396 were employed in manufactures. It is in evidence, that the best class of work is not there taught, and that those who are brought up as tailors, can hardly hope to gain their daily bread, at their discharge. Thus it may happen, that persons who may have passed from 10 to 5 years in the Penitentiary, may be discharged from it without any means of gaining their subsistence, and may be thus exposed to temptations by which poverty and want are assailed, and which, perhaps, originally induced them to commit the crimes which had subjected them to punishment.

In consequence of the extent of sickness which has, during the last winter and spring, prevailed in the Penitentiary, Your Committee felt it their duty to examine minutely into the causes of the malady which has been so prevalent among the prisoners, and the medical treatment to which they have been subjected. In the spring of 1822, it appears to have been the opinion of the principal medical officer, Dr. Hutchison, as well as of the Committee of the Penitentiary, that the Dietary of the prisoners was greater than was conducive to their health*. Symptoms of plethora were constantly showing themselves, though principally among the female prisoners, and a general fulness of habit appeared to prevail among all the inmates of the Penitentiary. Accordingly, under the advice and upon the suggestion of Mr. Morton Pitt, one of the Committee, (in which the Committee concurred,) a more reduced scale of food was adopted. This recommendation was founded upon the success of a similar system at Dorchester gaol. The Managing Committee, however, felt it to be their duty to submit the question to the consideration of Sir James M^cGrigor, who is at the head of the Army Medical Board. Sir James M^cGrigor was of opinion, that the old system of diet was too full, and he approved of the plan proposed. Accordingly, in July 1822, the old dietary, which was as follows, was abandoned, and the new one, which is here also subjoined, was substituted in its room.

* The Committee of the Penitentiary, on the 18th of March 1822, originated this change of Dietary, by addressing a letter through their secretary to Dr. Hutchison, requesting his opinion on the subject. Vide Appendix.

FORMER DIETARY.

DAILY,—1 $\frac{1}{2}$ lb. of Bread, made of such Meal as the Committee may from time to time direct, for every Male Prisoner above the age of 18 years; and 1 lb. for every other Prisoner. But Boys under 18 may have the full allowance of Bread, if the Chaplain and Governor shall certify at the commencement of the week that their conduct has been meritorious during the week preceding.

For BREAKFAST - - - - - 1 pint of hot Gruel or Porridge.

For DINNER -	Sundays - -	6 ounces of Clods, Stickings or other coarse pieces of Beef (without Bone, and after boiling) with half a pint of the Broth made therefrom.
	Tuesdays - -	
	Thursdays - -	
	Saturdays - -	
		1 lb. of boiled Potatoes.

For DINNER -	Mondays - -	1 quart of Broth for the Males, and 1 pint for the Females, thickened with Scotch Barley, Rice, Potatoes or Pease, with the addition of Cabbages, Turnips, and other cheap Vegetables.
	Wednesdays - -	
	Fridays - -	

For SUPPER - - - - - 1 pint of hot Gruel or Porridge.

N. B.—Prisoners may reserve such part of the Provisions previously delivered out, as they please, for their Supper.

Salt and Pepper, as the Committee shall from time to time direct.

The only Liquor allowed to Prisoners in health (except Broth, Gruel, or Porridge) shall be water.

Prisoners confined to Bread and Water Diet for punishment, shall be allowed such quantity of Bread as the Surgeon may think necessary.

Prisoners employed in Works of extraordinary Labour, or under circumstances which may render it necessary, may be allowed an addition to the quantity of their Provisions, by the direction of the Committee.

MEMORANDUM:

Female Prisoners employed in the Washhouse shall be allowed an addition of $\frac{1}{2}$ lb. of Bread and an allowance of Meat on Washing Days, until the further orders of the Committee.

By Order of the Committee,

A. MACDONALD.

PRESENT DIETARY:—Since July 1822.

In the MORNING - - - Three quarters of a pound of Bread and one pint of Gruel, for the Males; and nine ounces of Bread and three quarters of a pint of Gruel, for the Females.

At NOON - - - - - Three quarters of a pound of Bread and one pint of Soup, for the Males; and nine ounces of Bread and three quarters of a pint of Soup, for the Females.

In the EVENING - - - One pint of Soup for the Males; and three quarters of a pint for the Females.*

The Soup to be made with Ox heads, in lieu of other meat, in the proportion of one Ox head for about 100 Male Prisoners, and the same for about 120 Female Prisoners; and to be thickened with Vegetables and Pease, or Barley, alternately, either weekly or daily, as may be found most convenient.

The Committee to substitute, at their discretion, Potatoes for Bread, at the rate of 1 lb. of Potatoes for $\frac{1}{2}$ lb. of Bread.

The only Liquor allowed to Prisoners in health (except Broth or Gruel) shall be Water.

Prisoners confined to Bread and Water Diet for punishment, shall be allowed such quantity of Bread as the Surgeon may think necessary.

Prisoners employed in Works of extraordinary Labour, or under circumstances which may render it necessary, may be allowed an addition to the quantity of their Provisions, by the direction of the Committee.

Wardsmen, and those employed in the Kitchen and Bakehouse, shall be allowed $\frac{1}{2}$ lb. of Bread extra, daily.

Female Prisoners employed in the Laundry shall be allowed 1 $\frac{1}{2}$ lb. of Bread, daily, with a double allowance of Soup at Dinner and Supper, on the days in which they are employed in Washing; viz. Mondays, Tuesdays and Wednesdays.

Wardswomen, and those employed in the Kitchen, shall be allowed 1 $\frac{1}{2}$ lb. of Bread, daily.

* Lately Gruel has been substituted for Soup of an Evening for the Females.

The Report of the physicians, Drs. Roget and Latham, dated 5th of April 1823, sets forth, that the adoption of this new system was soon followed by a general decay of health and strength, which showed itself principally among the female prisoners. The officers of the Establishment soon perceived the evils with which the prisoners were threatened, and it is in evidence from the journal of Mr. Pratt, the surgeon, and the testimony of the matron, that their attention was directed to the subject during the whole of the autumn, and the early part of the winter. This question was repeatedly brought under the view of the Visitors and Managing Committee; they referred it to the principal medical officer, and acted upon his opinion.

It is stated in a minute of the 11th of February 1823, that the superintending Committee were alarmed at the unusual degree of sickness among the female prisoners; but it is expressly declared in that document, that the disease could not be attributable to any particular cause. It is, however, in evidence, that the first symptoms of scurvy appeared in a patient early in January 1823, and the illness among the prisoners exceeded greatly the amount of any former year; between that period and the beginning of February, several cases of scurvy occurred; sickness was gaining ground amongst all classes of the prisoners; and the Committee directed a letter to be written to Sir James M^cGrigor on the 8th of February, drawing his attention to the prevailing illness, and specially requesting his opinion of the effects of the new dietary. Sir James M^cGrigor made his visit on the 14th of February, and his report is dated the 17th of the same month. It sets forth, “that having seen the whole of the female, and
“ many of the male prisoners, he found them not in an unhealthy state;
“ and from a minute inspection of the infirmaries, he ascertained that while
“ the proportion of the sick was small for the season, the diseases were
“ not, except in a very few instances, of a serious character, and not attri-
“ butable to diet or confinement.” This report calmed the apprehensions of the Committee; and no steps were taken, either by their order, or under the direction of the principal medical officer, to ascertain by minute personal inspection, the bodily health of every prisoner. Within a few days, however, the disease so rapidly gained ground, having increased from 53 to 118 patients, between the 14th and 28th of the month, that the Committee determined to call in other medical advice, and accordingly summoned Drs. Roget and Latham, to give their opinion of the nature of the disease, and whether it could be ascribed to the new dietary.

These physicians visited the Penitentiary on the 1st of March, and found no less than 110 patients in the infirmaries; viz. 44 males and 66 females. On the 3d of March they, accompanied by the principal medical officer, went round the different pentagons, examined the person of each prisoner; and the result of their examination was, that out of between 858 and 880 prisoners, 448 were afflicted with disease. The report of the physicians has been laid before the House; and Your Committee refer to it, to express their approbation of the clear and luminous statement of the origin and progress of the disease, and they wish to draw the attention of Parliament to the manner in which it affected the different sexes, falling with increased severity on those who had suffered long imprisonment. “With regard to
“ the extent of this disease,” say the physicians, “we found more than one
“ half of the whole number of prisoners affected by it, in one or other, or
“ in all its forms; but the proportion was not the same among the prisoners
“ of different sexes, or belonging to different classes. The women were
“ affected much more extensively than the men; and of both men and
“ women, the second class, which is composed of those who have been
533. A 4 “ longest

“ longest in confinement, was affected in a much larger proportion than
 “ the first class, which comprises those who have been more recently im-
 “ prisoned. Of the women, about two thirds were ill of the disease; or
 “ the men, rather less than one half. Of the women in the first class, one
 “ half were ill; of those in the second class, five-sevenths. Of the men in
 “ the first class, above one-third were ill; of those in the second class,
 “ rather more than one half*.”

Your Committee entirely concur in the opinion expressed in this report, which is further supported by the testimony of all the medical authorities they examined, with the exception of Sir James M'Grigor, that the main cause of the production of this disease is attributable to the new dietary. It is evident that the situation of the prison could not have occasioned the disease, for it never appeared before the last winter; 2dly, the inhabitants of the immediate vicinity were not attacked with any disease at all similar; 3dly, the prison is remarkably dry, as Your Committee minutely examined it, and there did not exist the smallest trace of damp in the building; and lastly, the officers of the prison were exempt from the disease, and all those who were in the kitchen, and thus had access to a greater extent of food, were free from all attack. In respect to the situation in which the Penitentiary is built, Your Committee are unable to form any opinion adverse to its salubrity; it is situated on a tide river, thus having the advantage of a fresh current of air twice a day, and its vicinity is by no means considered unwholesome.

Your Committee felt it their duty to inquire not only into the cause of the disease so long prevalent, but also into the medical treatment of it, and more particularly so in consequence of a difference of opinion being held upon this important subject by the surgeons and physicians they called before them. They did not, however, do this from their entertaining the least suspicion of the talent, judgment, and skill of the medical officers of the Establishment, Drs. Roget and Latham; but when a contrariety of opinion was held upon a subject, in which the lives of hundreds of human beings might ultimately depend, who had no choice but to submit to the treatment which their medical advisers might prescribe, Your Committee considered themselves imperiously called upon to refer the subject to the best medical authorities the country could produce; accordingly, a deputation from the College of Physicians visited the Penitentiary, and their Report, which is here subjoined, sets, in the opinion of Your Committee, the question at rest, and fully confirms the propriety of the practice of Drs. Roget and Latham.

(Copy.)

“ Sir,

“ Whitehall, June 23d, 1823.

“ IN consequence of the illness which has long prevailed at the Penitentiary, and the differences of opinion which has been expressed by medical men of considerable eminence, with respect to the causes of the disorder, and the nature of the remedies which it is proper to apply, I am induced to request that you will bring the subject under the consideration of the College of Physicians,

* The first class prisoners, are those who live and work by themselves, and are considered to be in a state of probation. The rule is, that prisoners remain in this class half their servitude; but they may be removed at an earlier period for continued good conduct. The second class work in company, and sleep in the upper gallery; it is from this class that the wardsmen and servants in the kitchen are taken.

Physicians, and that you will have the goodness to move the appointment of a committee for the purpose of visiting the Penitentiary, and of reporting to me their opinion upon the nature of the disorder which prevails in that Establishment, and upon the probable efficacy of the present course of medical treatment.

“ Sir H. Halford, Bart.
&c. &c. &c.

“ I have, &c.

(signed) “ R. PEEL.”

(Copy.)

“ IN compliance with the request of the Right honourable Secretary of State for the Home Department, we the undersigned members of a committee, appointed by the College of Physicians, have visited the Penitentiary at Milbank, examined the state of the patients there, heard the accounts given by the medical attendants ; and do report upon the two questions submitted to our investigation, as follows ;

“ From the testimony of the medical officers, compared with the details given uniformly by the patients themselves, of the former stages of the disease prevalent amongst them, that the disorder has borne a *dysenteric* character. But we have to observe, that the patients are now far advanced towards recovery, and that the severer symptoms which distinguish dysentery, prevail no longer. Many, however, still continue ill of a milder complaint of the bowels. Upon the second question we report, that the treatment by mercury, adopted in this disease, appears to have been very successful.

“ College of Physicians,
June 27th, 1823. (signed)

“ HENRY HALFORD,
President of the College.

“ W. G. MATON.
“ THOMAS TURNER
“ PELHAM WARREN.”
“ HENRY AINSLIE.
“ EDWARD ASH.

On the 15th of May, the annexed list was given in by Dr. Roget, physician to the Establishment.

PRISONERS under medical treatment on the 15th of May :

				Men.		Women.		Total.		
Diarrhoea	-	-	Ill	-	-	46	-	44	-	90
			Better	-	-	48	-	87	-	135
			Well	-	-	49	-	20	-	69
			Other complaints	-	-	21	-	30	-	51
Total				-	-	164	-	181	-	345

May 23, 1823:					June 11, 1823:				
		Men.	Women.	Total.			Men.	Women.	Total.
Diarrhoea	Stationary	- 63	- 46	- 109	Stationary	- - - -	73	- 35	- 108
	Better	- - 51	- 56	- 107	Improving	- - - -	86	- 38	- 124
	Well	- - 64	- 47	- 111	Well	- - - -	82	- 88	- 170
Other complaints		- 24	- 35	- 59	Other complaints		- 24	- 28	- 52
Total		- 202	- 184	- 386	Total		- 265	- 189	- 454

Notwithstanding this apparently unfavourable account, all the medical authorities examined declared the disease to be abating, and, though spread over a larger surface, to be much diminished in the severity of its character*. Your Committee directed their inquiry to the important fact, whether the disease could be considered as contagious. All the medical practitioners whom they examined, with the exception of Mr. White, considered it to be so in no degree; yet Your Committee, though of course not inclined to contest the opinions of medical men of such science and eminence, cannot avoid remarking, that recently some of the inferior officers of the prison have been attacked with the prevailing diarrhœa; and of 59 males, and 4 females, who have been received into the Penitentiary since the 3d of March, 20 males and one female have been ill of the same complaint. On a review, then, of all the circumstances which induced the Managing Committee of the Penitentiary to adopt the new dietary, and to continue its use during a period of eight months, viz. from July 1822 to the beginning of March 1823, Your Committee are of opinion, that they were warranted, upon the advice they received from the medical superintendent, to change the system of dietary then in use, for the reasons assigned; but Your Committee regret, that the opinions of medical persons conversant with the management of prisons, and the state of health of prisoners, liable as it is to be affected by so many moral causes, had not been previously taken.

It is in evidence before Your Committee, that Dr. Hutchison, while he recommended some alteration, proposed a change less decisive than the one adopted; and he accompanied his recommendation with the advice, that the judgment of some of the principal physicians in the kingdom should be taken upon the question. Mr. Morton Pitt has, however, stated, that Dr. Hutchison never formally approved of the new plan; yet it is equally clear from the same evidence, that the Committee were induced, by the above witness, to believe he had so done, and that Dr. Hutchison not only never gave the least intimation that he considered the sickness of the prison in any way attributable to the diminished quantity of food, but, up to the middle of February, his opinion remained the same as that of Sir James M^c Grigor; and it was only towards the end of that month that he became convinced, that the real cause of the disease was the change of the Dietary. It is true that Mr. Pratt, the resident medical officer, and the matron, nurses, and officers of the establishment, uniformly opposed the new system; yet that very circumstance rendered their evidence of its effects liable to suspicion: and when, according to the concurrent testimony of all, no material alteration took place in the general look of the prisoners, Your Committee do not feel disposed to blame any of the parties concerned, for any inattention in the exercise of their respective duties.

Much conflicting testimony has been given upon the subject of Dietary; and in general, the best medical opinions appear to consider the plan
adopted

* Since this Report was drawn up, a return of the prisoners under medical treatment on the 3d July 1823, has been given in to the Committee, by which it appears that the disease is rapidly on the decline; the sick, who are considered as stationary, being reduced from 108 to 39.

PRISONERS under medical treatment, 3 July 1823:

	Men.	Women.	Total.
Stationary - - - - -	17	22	39
Convalescent - - - - -	70	37	107
Well - - - - -	179	83	262
Ill of other diseases - - - - -	8	22	30
Total - - -	274	164	438

adopted as not only deficient in quantity, but injurious in the mode in which it was administered. The same quantity of animal matter, given in a solid form twice a week, would, however, in the opinion of some, have been sufficient nutriment; and examples have been cited from other prisons in England and in France, to demonstrate the truth of this statement.

This is a question which, in the opinion of Your Committee, is of very difficult solution. There are circumstances in all the prisons referred to, which altogether unfit them to be compared to the Penitentiary. In France, except in those cases where bread and water is the punishment for idleness, the prisoners almost universally enjoy the practical privilege of purchasing additional food. In England, the mere fact of the weight of the prisoners being increased by confinement, is, of itself, no proof that their strength is not diminished: the body may increase in size and bulk, but the fibre may be reduced, and that which may be taken for health, may be a proof of real debility. In all these prisons, the moral causes so peculiarly operative in the Penitentiary, do not exist in the same force. In France, the general intermixture of all prisoners; the young with the old, the dissipation and licentiousness of their lives, the free enjoyment of all amusement consistent with safe custody, preserve the minds of those who are confined there from the irksome monotony which a well-regulated prison is so calculated to produce; and thus the health of prisoners may be better preserved under a less quantity of food than when they are subjected to a severe moral discipline. In these places of confinement, noise and tumultuous gaiety drive away care and thought; yet while their morals are vitiated, the minds of the prisoners may be amused, and thus kept from sinking under the pressure of feelings of sorrow and remorse. A prison so managed, whatever may be its effects on the manners and habits of its inmates, is yet calculated to preserve them from the inroads of the diseases which arise from the moral causes above referred to. It was evidently under these impressions, that Mr. Howard remarks, "that persons in prison require more food than those who are free;" that is to say, the moral causes which excite depression of spirits, and consequently, when long continued, a decay of health, can only be lessened by propping up the strength of the prisoner, and enabling him, through a full prison diet, to resist the effects of the mind upon the body.

The prisoners in the Penitentiary are, in the opinion of Your Committee, peculiarly liable to the operation of moral causes: the strict discipline of the place; the silence and solitude prevailing there; the entire absence of amusement of all kinds; the rigorous observance of the rules laid down to check all demonstration even of natural gaiety; the fact, that nearly one-half of the prisoners are almost in a state of perpetual seclusion, except for a short period in the twenty-four hours, when they walk with measured steps round a court; the long and certain confinement to which they are sentenced, varying from ten to five years; the feelings of remorse, which the absence of all other thoughts is so calculated to produce; the monotony of their existence; the remembrance of better days, of their homes, and their families; and that weariness of life, which is the result of long imprisonment; all these causes most peculiarly dispose the inhabitants of the Penitentiary to the inroads of disease. For these reasons, Your Committee consider it essential to the health of the prisoners confined there, that they should be fed upon a full prison diet, varied according to the suggestion of some of the medical practitioners who have been examined before them; and that some means should be devised, by which every prisoner in the Establishment should be employed in active exercise for some portion of the day.

Your Committee have also inquired into the causes of the dismissal of the late medical superintendent, as well as into the accusations preferred against him in May and June 1822. On the first part of the subject, Your Committee think it their duty to observe, that the testimony of all the members of the Managing Committee, who have been examined, speaks most favourably of the skill, kindness, and attention of that officer; he has received, also, from persons of the highest rank in his profession, testimonials of character the most flattering; yet at the same time there does appear to have arisen between him and the managers of the Establishment, differences which, for the good of the institution, rendered his continuance in the situation he filled, inexpedient. Your Committee give no opinion on the cause of these differences; but the mere fact of their existence is to them a sufficient proof that the parties could not go on together amicably, or with that cordial union and confidence which their respective situations of necessity demand.

In reference to the other accusations, Your Committee have deemed it expedient to inquire into the complaints preferred against the conduct of Dr. Hutchison in May 1822, and which are alluded to in documents already before the House, upon a due consideration of the evidence tendered to them, they are of the following opinion: first, that the Committee of the Penitentiary were fully justified in the measures they took in respect to accusations so materially affecting the character and credit of the Establishment; and, 2dly, though there appears from the evidence before them to have been considerable irritation of manner on the part of Dr. Hutchison, yet they acquit him of the charge of inebriety; at the same time they do not see occasion to impute any intentional misrepresentation on the part of the officers of the Establishment.

Your Committee have had brought under their consideration the period of punishment to which persons are sentenced in the Penitentiary; those who have been capitally convicted, are imprisoned for 10 years; those who are sentenced to 14 years transportation, for 7; and all 7 years cases, for 5; thus, 10 is the maximum, and 5 years the minimum of the terms of confinement. On the 26th of May 1823, there were 869 prisoners in the Penitentiary, of whom 101 were sentenced to transportation for life, 57 for 14, and 711 for 7 years. There does not seem to be a just proportion in the two last sentences, as 5 years imprisonment is a far different ratio of punishment to 7 years sentence, than 7 to 14. Your Committee are inclined to believe that the smallest term was selected in conformity to an opinion expressed by Mr. Howard, viz. that 5 years sentence should be the minimum of imprisonment, on the Penitentiary system.

The question of term of imprisonment, is one of great difficulty; the points to be aimed at are evidently, 1st, the selection of a scale of punishment which may strike terror in evil doers, and operate by example in the prevention of crime; 2dly, the term of confinement should be sufficiently long to insure a change being effected in the evil habits and opinions of the prisoners; thus uniting the example of the punishment to the reformation of the offender. These are the rational objects of penal punishment. The evils to be avoided are,—the making the persons under confinement objects of general sympathy, diverting the censure of the public from the prisoner, to the law that punishes him; and, secondly, the length of imprisonment; thus subjecting the prisoner to a longer period of mental and bodily punishment than is necessary, either for his reformation or the example of others.

Whether

Whether the term in the last instance is too long, Your Committee will not take upon themselves to determine; yet they cannot avoid suggesting the propriety of a reconsideration of the subject, and perhaps on a review of the whole question, its advantages and its evils, it may be found by experience, that long imprisonment is unnecessary for any punishment, either regarding it as exemplary or reformatory, and a reduction of the scale may produce all the salutary ends the legislature by the former enactments had in its contemplation to effect.

It appears to Your Committee, that the class of persons most fitted for this Establishment are those, whose misfortunes, more than their moral turpitude, or confirmed habits of crime, had subjected them to the sentence of the law. Young persons of both sexes *, offenders for the first time, the victims to artifice and seduction, and all the various shades of early guilt, which the severity of the law punishes with the same sentence as more hardened criminality; offenders of this description should find here a prison in which habits of industry might be learnt, moral and religious feelings inculcated, and at the expiration of their terms of confinement, the prisoners might be returned to their friends and relations corrected and reclaimed, or if destitute of both, they may have acquired within the walls of the prison, such habits and ways of industry as may enable them to gain their livelihood, and secure them from falling a prey to the pressure of want, or the arts of the fraudulent and designing.

Upon a review then, generally, of the Penitentiary system as here established, Your Committee are decidedly of opinion, that the vast cost that has been incurred, has not been spent in vain; that this place of confinement, though one of very severe punishment, reforms while it corrects; and that its proper application is to that class of prisoners, whose offences have brought them under the punishment of the law, but whose hearts are not hardened by guilt, and whose characters are not destroyed by the repeated perpetration of crime.

Your Committee have learned with much satisfaction from His Majesty's Principal Secretary of State, that in consequence of the punishment having been increased by the disease now prevailing in the Penitentiary, and which has affected nearly every prisoner within its walls, His Majesty has signified His gracious intention of granting a remission of the terms of imprisonment to the prisoners now confined in the Penitentiary, according to the following scale; to those originally confined for five years, a remission will be granted of one year; to those confined for seven years, a remission of one year and an half, and of two years to those confined for ten years.

In consequence of the Verdict of an Inquest on the body of Charles Thompson, deceased, in the Penitentiary, which set forth, "That the
" said Charles Thompson being a prisoner in the said General Penitentiary,
" on the 26th of June 1823, then departed this life from the effects of
" solitary confinement, and the want of the common necessities of life
" during his residence in the said prison since the 29th of June 1822;"—Your Committee thought fit to summon the coroner and foreman of the jury before them, as well as the surgeon and other officers of the Penitentiary. From the evidence of the foreman, it appears that the jury was
unanimous

* It is not meant to include persons under the age of 16 in this description, it having been found by experience that the confinement and discipline of the Penitentiary are not calculated for boys and girls.

unanimous in the finding of the verdict; that they considered the deceased to have died in consequence of his confinement in January last, and of a disease brought on by insufficiency of food.

The foreman, however, expressly declared, the jury had no reason to complain of the conduct of any of the officers of the prison, and they did not mean by their verdict to criminate any body; he further stated, that they found the verdict, because they believed the mother and brother of the deceased, who repeated to them the testimony of the deceased as to the causes of his death.

The jury made, however, no inquiries as to the quantity of food given to the deceased when out of the hospital, nor even of his diet while he was in it, nor as to the state of his health when released from confinement in January last; nor did they examine any officers of the Establishment to confirm or refute any of the statements detailed in the evidence of the mother and brother. The state of the case then is as follows; the deceased, Charles Thompson, was admitted into the Penitentiary, from the hulks, in June 1822, in an emaciated state of health; during the whole of that year, not only is there no evidence that he made any complaint of deficiency of food, but the surgeon, taskmaster and turnkey, expressly affirm, that in fact he made none; and that, during the whole of that period, he was never afflicted with sickness. In January last, for an offence against the rules of the prison, namely, destroying and secreting a portion of his work, and solemnly denying it, he was sent to the dark cell, where he was confined on bread and water for five days, having 16 ounces of bread each day; and he was visited daily by the surgeon, governor and taskmaster; he never complained that he was ill; and on his release he was remanded to his cell, where he resumed his work, and laboured at the crank mill, as before his confinement. In the month of March following, he was attacked with the disease then prevailing in the Establishment, and he continued ailing, at times mending and then relapsing, being out of the infirmary from the 24th of March to the 3d of May, until the last week, when he was seized with three fits of apoplexy, of the effects of which he died.

8th July 1825.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Veneris, 16^o die Maii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Peter M. Roget, M. D. and Peter Mere Latham, M. D.
called in; and Examined.

To Dr. Roget.

YOU are a physician?—I am.

When were you first sent for to the Penitentiary?—On the first of March; I received the intimation on the first of March.

Dr. Roget.

When did you go there?—On the first of March.

(May 16.)

Did you, on that day, go round any of the pentagons, and visit the prison?—Dr. Latham and myself went round the infirmaries, but not the pentagons.

What was the state of the infirmaries when you were there, as to the number of patients there were?—We found a large proportion of the patients affected with diarrhœas and dysenteries, and also with scurvy; there were also patients with various other disorders.

Were the principal number of the patients, in the infirmary, affected with the disorders connected with what you have designated by the name of sea scurvy?—They were.

Had they been a long time in the hospital?—The greater number had not been a long time.

Do you recollect the numbers that were in the infirmaries on the day you visited the Penitentiary?—The number is mentioned in our Report; there were 110 patients in the infirmaries.

Male and female?—Yes.

What proportion did the males bear to females that day?—There were forty-four males, and sixty-six females.

Did you, on that day, go round the pentagons?—We had not time to do so on that day.

On what day did you go round and visit them?—We began our examinations of the prison generally, on the 3d of March.

What was the whole number of prisoners then in the Penitentiary?—About 850, or between that and 860.

Did you, in going round the different pentagons, examine the individual health of each prisoner?—We did.

Did you strip them to see whether there were any marks of scurvy upon their limbs?—We examined their legs.

What was the state in which you found them?—A large portion had marks of scurvy on their legs.

When you say a large proportion, can you specify more correctly that proportion?—Perhaps about one-third of the whole number.

Do you consider that those marks had been visible for any time previous to your examination?—They must have been so.

For what time?—From the accounts we could collect they had been visible in some of them as early as November.

From whom did you get those accounts?—From the patients themselves.

You have been speaking of prisoners that were affected with the scurvy, what was the number of persons sick in the Penitentiary on that day on which you examined it?—Our first examinations of the prison were not completed on the day that we began, so that it is not possible to answer this question with regard to any particular day.

On the first inquiry you made, whether it lasted one day, or two, or three, what was the number of persons that were sick?—There were 448 prisoners, that were affected with different symptoms of scurvy, including diarrhœas.

Dr. Rogel.

(May 16.)

The Committee understand, the diarrhœa, you considered as being one of the forms of the complaint?—We so considered it.

When did the disease first show itself in the prison?—We learned that some of the prisoners had marks of scurvy as early as November, and we considered the disease as having commenced in them at that period.

From whom did you learn that?—From the prisoners themselves.

Had you any conversation with the physician, or with the surgeon, upon that subject?—We conversed with Dr. Hutchison frequently upon the subject.

Did he, or Mr. Pratt, give you any information as to the period at which the scurvy first showed itself?—He did.

And he stated, as well as the prisoners, that it was visible so early as November?—He had not himself observed it so early as that time.

Can you distinctly state, that Dr. Hutchison told you that he had observed this disease some time in November last?—I think he told me that he first observed the symptoms of scurvy in February, and not November.

The Committee are to understand, that it was from the prisoners, and not from the medical officer, that you gained the information that the scurvy was existing amongst them as early as November?—It was.

Did you learn that, independently of scurvy, there was any general breaking down of health visible in the appearance of the prisoners early in the autumn?—We understood so, both from the matron and Mr. Pratt, and other officers.

What were the symptoms by which that showed itself?—The principal symptoms were lassitude, want of strength, dejection of spirits, paleness of countenance, occasional faintings, rejection of food by the stomach.

Was that more amongst the males than amongst the females?—More among the females.

Are you aware that any report of that change in the state of health of the prisoners was made to the medical person at the head of the establishment, Dr. Hutchison?—I am not aware that it was.

Did the matron state to you that she had made any report to him upon that subject?—I do not recollect whether she did.

Had there, in point of fact, been a general drooping of the health of the prisoners during the whole or the early part of the winter?—We collected that there had been.

Had there a greater number of persons been in the hospital at the early part of the winter than was customary?—I believe not.

When did the first great influx of patients enter the hospital?—Towards the end of February.

Was there not a greater number in January and the beginning of February than was usual?—I believe not.

Do you think, that if those symptoms upon the legs, as well as the general drooping health of the prisoners, had been observed upon the Report, the progress of the disease might have been checked sooner, if remedies had been applied?—I think it might have been checked much sooner.

Have you recently been at the Penitentiary?—I was there yesterday.

What is the state of disease now?—A great number of the prisoners are affected with bowel complaints; the total number is 225; there are, besides, sixty-nine that are retained under medical treatment, although their bowel complaints have at present ceased; but they are retained lest they should relapse, what we have found so often happen.

Are those included in the 225?—No; there are also fifty-one labouring under other diseases, making a total of 345.

In relation to the first 225, are those cases belonging to the original complaint of the sea scurvy?—We think they are; I have made a table, distinguishing the number of men and women: perhaps this table will be useful to the Committee.

[The same was delivered in, and read, as follows:]

“ Prisoners under Medical Treatment on the 15th of May.

	Men.	Women.	Total.
Diarrhœa :—Ill	46	44	90
Better	48	87	135
Well	49	20	69
Other Complaints	21	30	51
	164	181	345.”

Of those sixty-nine, who are designated in that list as retained, were those persons all originally ill of the diarrhœa?—Nearly all.

And you retained them because experience has taught you that they are liable to relapse, and you subject them therefore still to medical treatment?—Yes.

Are they still in the hospital?—They are still considered as patients; but the hospital has been of late so full that many of the sick are placed in their cells with the doors open.

When you went round and observed the state of the prison, would the sickness of the prisoners have been apparent to a casual observer, not examining in the manner in which you examined the legs?—Many of the appearances were very slight, and would not have attracted attention unless it had been particularly directed to that subject; casual observers would not have perceived any alteration of health.

Should you say, that if a stranger, not a medical person, had gone round the prison, who had been accustomed to go round it, and who knew, for instance, the persons of a number of the prisoners confined therein, he would, or not, have been struck with the alteration of their health?—I think he would have been struck with the general appearance of languor; but unless a person had been in the habit of comparing the appearance of the prisoners at different times, he perhaps would not have formed an adequate idea of the extent of the disease.

Was there any difference in their complexion; was it less ruddy?—It was so.

Did that apply to the males as well as to the females?—I think more to the females; but it applied in some degree also to the males.

Does not scurvy generally make its appearance in the legs?—It does.

In your recent examination of the prisoners in the Penitentiary, have you seen any reason to alter the opinion you have expressed in the Report you have made, as to the nature of the disease, and the remedies you have thought fit to recommend for its cure?—We have seen no reason to alter our opinion; on the contrary, what we have since seen has tended to confirm it.

On the nature of the disease, its character, and the remedies you have recommended for its extinction?—In both respects; the only change in our opinions is, that we are persuaded the disease was more inveterate than we had at first conceived it to be.

Does the same proportion continue in the sick, as is given in this table, between the first and second class, between those who have come lately into the prison and those who have been long established there?—We have not made an examination with that view of late; the first and second class have been a good deal intermixed in consequence of the general prevalence of illness, so that the investigation has become more difficult, and we have not lately been able to make this distinction; we might infer that the same proportion exists, because nearly all the present cases are relapsed cases, that is cases which had been under medical treatment.

Should you consider that the disease is on its decline, or is at present in the same aggravated state as when you made that Report?—It is much milder in its symptoms than at first.

The Committee understand, that though it may be spread over a larger number, the disease is less severe in its character than when you made that Report?—There are now a larger number of prisoners affected with diarrhœa than at any former time; but they are all prisoners who had been formerly ill, and I conceive the general amount of illness has diminished in acuteness.

In the Appendix, N° 1, of the papers lying before you, you will see that the total number of prisoners, in the beginning of March, is stated as 448, and the present number as 345; there appears to be a difference of nearly 100 persons, therefore the natural deduction would be, that there were 100 persons less sick in the establishment than there was in the beginning of March 1823; how do you account for this difference, and the answer you have just given?—The number we gave in this statement, refers only to the prisoners who were ill of this particular disease, and does not include those under other diseases; the number 345 includes prisoners ill of all diseases.

Dr. P. M. Latham. The number 448, formerly given in the Appendix to the Report, has reference to the disease under all its symptoms, both diarrhœa and scurvy; the number we have given here, has reference to the disease under the single character, in which it remains, the single character of diarrhœa; there are more cases of diarrhœa at present than there were when we first began to visit the Penitentiary, but fewer cases of the disease altogether; the only disease now in the Penitentiary is the diarrhœa; formerly it was diarrhœa and scurvy.

Dr. Roget.

(May 16.)

In the Appendix, N^o 1, there are 448 persons stated to be sick in the beginning of March; supposing you were to construct a table upon the same principles as you have constructed this, what would be the whole number of prisoners sick that you would give in at the present moment?—*Dr. Roget.* Two hundred and twenty-five; that is, 90 and 135.

The Committee having misunderstood one of your former answers, are now to understand, that the disease has diminished in the establishment, in the proportion between 225 and 448?—Yes.

Do you remain of the same opinion, as to the causes of the disease?—We do.

Will you state to the Committee what your opinion is, as to those causes?—We think that the principal cause has been, the deficient quantity of nutriment in the diet ordered in July last, and from its being in too liquid a form; we think also, that the coldness of the weather may have contributed very much to bring on the disease.

You state, that you consider the disease to have been brought on by the deficiency of the food, as well as the manner in which that food was given; do you think, that if the food had been given in another form, and only to the same quantity, any difference would have arisen?—The difference of form would have made so essential a difference, that it is difficult to answer that question; the quantity of animal matter in the broth, for instance, was so small, that it could not have constituted a meal.

The quantity was about an ounce and a quarter of animal food per day; supposing all of that had been given on the Sunday, in one meal, and that the prisoners had been confined to their bread, and their gruel and vegetable soup, on the other days in the week, should you have considered that a sufficient quantity of nutriment?—It is impossible to say what might have been a sufficient quantity; I should have considered it a better form of giving the same quantity of nourishment.

Will you state to the Committee, what is in your opinion, the medical objection to giving food in this liquiform state?—The digestion of food in that form appears to be less perfect than in a more solid form; it seems to escape the action of the stomach.

Did you ever see any series of experiments that have been made by some French medical persons, upon feeding animals with the most nutritive broths, and giving to others the refuse from which those broths had been extracted, and the success of those experiments?—I do not recollect the particular experiments referred to; I recollect Mr. Magendie of Paris, making experiments upon the effect of confining animals to a diet consisting of one substance, namely, sugar; which proved fatal to all the subjects of those experiments.

You have, no doubt, seen the old dietary which was practised in the prison?—I have.

Should you, seeing the old, have considered that the change was too great, from the old dietary to the new one, had it been submitted to your consideration prior to its being adopted?—It is difficult for me to answer that question; on the subject of prison diet, so much depends upon experience, that I should have found it difficult, without much consideration, to give an opinion.

Had you before, or have you lately, seen any prison diets, which have been adopted through the country, of the same limited nature as this is?—We have seen accounts of the diet at different prisons, some of which contain much less nutriment than the one lately adopted at the Penitentiary.

Were those the diets in prisons, in which persons were confined for long terms?—They were not.

Have you any statement of those prisons in which a less diet was given?—In the prisons of Stafford, and of Devizes, the food is entirely vegetable: At the Stafford gaol, the daily allowance is one pound and three quarters of bread, one pound of potatoes, and one quart of gruel; to those who work at the tread mills, a quarter of a pound of bread extra is allowed: At the Devizes gaol, one pound and three quarters of the best wheaten bread, one pint of gruel, and one pound of potatoes; but on Wednesdays and Fridays, one pint of soup made of peas, barley, and other vegetables, is given instead of potatoes.

You consider that the less liquid form in which that food is given, than at the Penitentiary, compensated for the absence of all animal food?—I should think it would not entirely compensate.

Should you, as a medical man, consider that food as insufficient to maintain the health of prisoners, if sentenced for long terms?—I should think it was insufficient.

As

As one of the disposing causes of the disease at the Penitentiary, you have stated the unusual severity of the winter; should you have considered that, supposing the winter had been mild, the disease would have made its appearance?—It is impossible to say absolutely, whether that would have been the case or not; there would at least have been less probability of its appearing.

In the Report it is stated, that even amongst those prisoners who were subjected to additional cold, from sleeping in cells that were not so much warmed as others, if those prisoners were employed in the kitchen, where there was a greater quantity of food consumed than each individual had apportioned to him in a cell, little or no illness broke out amongst them?—That is the case.

Then, is not the natural deduction from that fact, that it was deficiency of food, and not cold, which caused the disease?—Among those prisoners, certainly.

Very few, if any, persons who were employed in the kitchen, contracted that complaint?—None of those who had been for any length of time in the kitchen.

Should you think that it was the additional food of the kitchen, or the additional warmth of the kitchen, that exempted them from the disease?—I should think it more probable that it was the additional food, but the additional warmth and occupation must also have contributed.

You would, of course, consider, amongst other causes, the moral cause of their being more in number there; more society, more gaiety?—Certainly.

Had you been in the Penitentiary before?—Never.

Did you order any additional warmth in any part of the prison?—We did not, because the severity of the winter had passed.

Do you know, from the manner in which you have been informed that the prison was warmed, that it required any additional warmth in the severity of the winter?—I should think it probable that it would.

Do you extend your observations all through the pentagons, or only to those upper parts of the pentagons where prisoners sleep without working?—Only to the cells of the upper story.

Did you make any alteration as to the additional air, or the additional exercise, which you recommended in the prison?—We did not; we did not think any change necessary.

Is there any alteration with respect to any additional exercise which the women are permitted to enjoy?—We found it necessary to lessen the time of walking of the women on Sundays, on account of their complaining of fatigue.

Do you mean that their state of health was so much weakened, that that exercise, which might have been good for them when they were strong, was too much for them when they were weak; or do you mean, that as a permanent system, you would cut off so many minutes of exercise from each female prisoner?—Our directions applied to the existing state of the Penitentiary; we did not take into consideration future arrangements which might be necessary.

They walk every day?—They do.

By limiting it on one day, namely Sunday, you cut off a portion of the seventh day?—They walked for a longer time on Sundays than on other days; we reduced the walking on Sundays to the same time as on other days.

What time was that?—They walked two hours and twenty minutes on the Sundays, and two hours only on other days; we reduced it to two hours.

That is an hour each time, at two different periods of the day?—At three different periods of the day.

Those cells which you thought were not sufficiently warm, which are upon the upper story of the Penitentiary, they are only sleeping cells?—Only sleeping cells.

Are the officers sleeping cells in the same stories?—Yes, they are.

Are they warmed by any flue or chimney?—They are not.

Have any complaints been made to you by them, of suffering from cold?—Not any.

Do you know whether any of them have suffered illness from sleeping in those rooms?—I do not.

Then will you have the goodness to state, why you think an additional warmth is necessary for the prisoners?—I think prisoners are under very different circumstances, in respect to health, to those that are not prisoners.

Have you been through the uppermost story, where they sleep?—Frequently.

Did the prisoners there ever complain of cold?—We were told that they did.

In point of fact, of those that were ill, did a greater number come out of those upper stories than out of the lower?—A greater number.

Dr. Roget.

(May 16.)

Should you think that that greater number arose from cold ; or being of the second class, did it not arise from their having been longer in the prison, and being in consequence more liable to the attack of the complaint ?—The latter cause probably had a considerable share in producing this effect.

Have you visited many prisons in the kingdom ?—No, I have not.

Do you happen to know any prison where they sleep separately, where the sleeping cells are warmed by flues ?—I think in the greater number they are not warmed ; I do not recollect any that are warmed.

Do you know of any prisons where they are open to the open air by means of a grating ?—Not personally.

What was the alteration in the food in the Penitentiary which you suggested, first beginning with the temporary, and then what you recommended as a permanent system ?—We first ordered for each prisoner four ounces of solid animal food per day, three oranges per day, eight ounces of rice, and white bread instead of brown.

Is that the dietary upon which the prisoners now are ?—We have since increased the proportion of animal food ; they now have six ounces daily ; they have potatoes instead of rice ; and instead of gruel for breakfast and dinner, we have substituted a quarter of a pint of milk and an equal quantity of water thickened with two ounces of flour.

Is that to be considered as the sick diet ; that which you give to the prisoners during the period of their sickness, or that which you recommend as the permanent diet of the prisoners ?—We have adopted this as a temporary expedient.

Have you, since you have given a more nourishing diet to the prisoners, seen the good effects of it among them ?—We have found their strength improved, their appearance also improved, and all the scorbutic symptoms have disappeared.

Are their spirits better ?—Yes, certainly ; and their general aspect more cheerful and healthy.

Does that observation extend to those who never have been sick, as well to those who have been ?—Yes, certainly.

Did the prisoners complain to you of having long suffered from a deficiency of food ?—Many of them did.

Did they state that they had made those complaints before to persons who went round to see them ?—They did not state that to us.

In the different pentagons, was any one pentagon more diseased than another ?—Those containing the female prisoners, were more diseased than those containing the male prisoners.

Amongst the males, was there a greater prevalence of disease in pentagons 1 and 2, as compared with 5 and 6 ?—There was much less disease in pentagon 2, which contained prisoners recently brought to the prison ; I did not perceive any difference in the others ; perhaps pentagon 1 contains rather more sick.

What is the difference ?—It is hardly worth considering.

Was your observation directed, in going round the establishment, to any difference amongst the males, between the first and the second class ; between that class that had exercise by means of labour, and that other class which is the second, that had no labour at all ?—We took pains to distinguish between the two, in order to ascertain what difference might exist between them.

What was the result of that investigation ?—Of the women in the first class, one-half were ill ; of those in the second class, five-sevenths. Of the men in the first class, above one-third were ill ; of those in the second class, rather more than half.

Should you think that it would be advisable, for the general health of the second class, to subject them to some exercise, in the way of labour at the mill, or in any other mode which could be devised ?—It perhaps might be advisable.

Do you think the same principle would be advantageous to the women ?—I think it might be.

Was your attention drawn to the state of the laundry in the Penitentiary ?—It was.

Is not that very small for the number of persons that work there ?—It appears small.

Were you ever there when the women were at work at washing ?—We have been.

Was not the heat, or more properly the moisture, very prejudicial to the health of the persons who were there employed, and greater than you ever saw in any private establishment ?—I was not struck with it.

Were a greater number of persons sick out of the laundry, than out of the kitchen ?—Certainly ; those in the kitchen were exempt.

Were

Dr. Roget.

(May 16.)

Were there more sick out of the laundry, than out of any other part of the prison?—No, there were not.

Are they not very subject to draughts?—I am not able precisely to answer that question.

Do you not think, that the moral causes had a very great influence in creating this complaint, as well as the physical ones?—I think they had a considerable influence.

Will you state what those causes are, which are designated generally under the name of moral causes?—General depression of mind from the loss of liberty, and privations of different kinds consequent upon that loss; despondency generally.

Do you not think that the long terms of imprisonment to which persons are sentenced, may be considered as one of the most leading of those moral causes?—I think so.

And of course operating in a stronger degree in this prison than any other, from the length of the terms being so much greater?—Certainly.

When you visited the Penitentiary, you of course saw Dr. Hutchison, the principal medical officer?—Certainly.

Did the patients in the hospital appear to you to be properly attended to by him?—Yes.

Did his mode of treating the disease, namely, the disease of the scurvy, appear to you to be that, that was the best fitted to cure it?—We had not an opportunity of seeing the treatment he adopted, previously to our being called in; and, indeed, there had been but little opportunity for the employment of any medical treatment previous to our being called in.

In point of principle, was not your treatment nearly the same, or differing in a very trifling degree, with the treatment he adopted?—We adopted the same treatment, as far as the scurvy is concerned, that he had recommended.

In what was the difference in your practice, as to any other complaint?—The diarrhœa we did not treat in the same mode.

Was every information given to you by Dr. Hutchison, which you thought fit to ask him, and every facility afforded to you by him?—Perfectly so.

Had you any conversation with him relative to the drooping state of the convicts, in the early part of the winter?—We undoubtedly conversed with him on all those subjects.

Did any of the committee express to you any doubt as to the medical treatment of Dr. Hutchison, or any unfavourable opinion of his conduct as the medical officer of the establishment?—Not the smallest.

Was any instruction, or intimation, or even hint, given to you, by any one of the committee, that you were to slight the opinions, or in the smallest degree to do any thing which could give offence to the person who was at the head of the medical part of the establishment?—Not in the smallest degree.

Were you desired by them to consult with him, and to communicate freely with him upon all subjects?—Our instructions were, to have continual communication with him on all subjects.

Freely, openly, and unreservedly?—Yes; and we complied with those instructions.

Do you not know, in point of fact, from hearing it, that the prison was generally healthy till August last?—We have so understood.

Is it not, therefore, reasonable to presume, that neither the moral causes which have been alluded to, nor the circumstance of the second class sleeping in cells not warmed, would have produced the injurious effect upon the prisoners, if it had not been for the dietary?—I think they would not.

Do you conceive that any difference of diet is necessary to the prisoners in the Penitentiary, and prisoners confined for the same period in other gaols in different parts of the kingdom?—I do not think the difference of place should make any difference in their treatment or diet.

Supposing the quantity of food given to prisoners in other gaols in the kingdom, confined for the same period of time, be found to be adequate for their support, would it, in your opinion, be sufficient for the prisoners confined in the Penitentiary at Milbank?—The circumstances are probably different, and therefore it is probable that some difference should be made in the quantity of food.

In what way?—If the circumstances are different, I would rather say.

The question supposes the circumstances to be the same?—If the circumstances are in every respect the same, I do not see that any difference should be made.

Dr. Roget.

(May 16.)

You have stated, that the persons recently admitted into the prison have been affected with the disease that prevailed among those who had been for a longer period; now, supposing it to arise from diet, how can those persons who have been admitted into the prison only for one month, be affected with that disease which was occasioned by the length of time during which the other persons had been confined upon the restricted diet?—There were scarcely any prisoners who had been for so short a period as one month, or even two months, who had the disease.

Were there any?—None with scurvy.

Is scurvy a disease that is infectious?—It is not so considered.

From what cause could those who had been confined only for a short time, have received that disease, which you attribute to long confinement upon a reduced diet?—It does not appear that any had received the disease.

What was the shortest period of confinement of any person affected with the disease?—All the patients, who had decidedly this disease, had been confined for at least six months.

Do you think that the diet, which the prisoners receive, is not sufficient for a person confined only for six months?—It would appear so, from what we have seen at the Penitentiary.

Supposing it is found, in other prisons, to be quite sufficient for a period of six or twelve months, why should it not, in the Penitentiary, be also sufficient?—I am unable to explain the reason, but such is the fact.

You state that the diet is not sufficient for those who are employed in hard labour, and that that has been in a great measure the cause of the disease which prevails; how comes it then that the disease appears to have commenced, and to have been to a greater degree among those that were not employed at all?—We found it difficult to account for that, unless by taking into account the effect of the greater cold to which they are exposed during the night in the sleeping cells.

Do you think that the cold would affect those more who were not employed at all, than those that were employed?—The cold acted more on those who were less employed, than those who were exercised at the mill.

Why should it affect those that were not employed more than those who were?—They were more exposed to cold by occupying colder cells.

You have stated also, that the moral cause to which you have referred, that is the privation of liberty, was one great occasion of the disease, if that were the case, would not the same disease prevail in other prisons of the kingdom?—That is only one cause; it appears to require the concurrence of several causes to produce the disease.

The other disorder which appears to have prevailed in the prison, the diarrhœa, is a disorder that is infectious, is it not?—It is not so considered.

How should it prevail at all, except among that class who have been any length of time in the Penitentiary?—It did not prevail among those who were recently admitted, but of those of the first class it prevailed most among those who had been a considerable time in the prison: among those who had been in the prison only a few months we did not meet with the disease.

Should you consider, that for a person employed at the tread mill, a pound and a half of bread and a pint of oatmeal gruel each day, with meat on the Sunday, would be sufficient to keep them in health?—I have not formed any distinct opinion upon that subject.

Would you think it insufficient?—I should be inclined at this moment to think it insufficient.

Supposing you were informed, that the prisoners in a house of correction containing two hundred persons, had for many years received no more, working at the mill, and that the greatest health had been enjoyed by those prisoners, what would you say then?—I should say, that the question must be decided by taking into consideration a great variety of other circumstances.

What are those circumstances?—A variety of circumstances in the discipline of the prison, the mode of employing the prisoners. The monotonous state of the life of the prisoners must contribute very much to depression of mind.

You have referred to moral causes as having some effect in producing this disease, do not you conceive the moral causes to which you alluded would operate very differently on prisoners contemplating an imprisonment of twelve months, or an imprisonment of five years?—Certainly.

In examining the prison, did you find it damp?—We did not.

Was

Was there any thing in the character of the prison internally, that would lead you to think that its situation was unwholesome?—There was not.

The whole was well ventilated?—It appeared so to us.

Are you to be understood, that the confinement of the Penitentiary is exclusively solitary?—By no means.

When they are shut up there is no interchange of communication with other prisoners?—No.

Do you presume, from your professional experience, that another system of dietary ought to be adopted to prisoners in solitary confinement, to that given to prisoners who have an interchange of communication with persons in other situations?—I should think so.

How many of the 110 patients to whom you refer, whom you found on your first visit to the infirmary, were afflicted with scurvy?—We found so many that had both complaints conjoined, that we did not in our report take a separate account of those who had only one symptom; and we have not brought the documents here, which might enable us to make out the precise number.

You found so many of those 110 afflicted with diarrhœa?—Yes, and with scurvy together.

Did you take the medical superintendent of the Penitentiary into your consultation when you first visited the Penitentiary, and every time afterwards?—We did.

Did you understand from him the mode of treatment he had been pursuing previously to your visit?—We did.

Did you make any, and what alterations if any, in that treatment?—We continued the same treatment at the commencement of our attendance; we afterwards found reason to change various parts.

You did change afterwards?—Yes.

How long afterwards; how long did you proceed on that plan which the medical superintendent of the prison had pursued before you altered it?—The treatment was not uniform as to all patients, therefore we made continual changes here and there.

You mention in your Report, certain symptoms and appearances of disease at your first visit, could those symptoms have been of any long standing, or were they obviously recent?—Some of them were of long standing, others were recent.

You also mention in your Report, certain morbid appearances on dissection, from which you inferred the identity of the diarrhœa and scurvy; did the medical superintendent communicate to you, previous to this dissection, such facts as established the same conclusion, that conclusion which you visibly saw in the dissected parts of the patient dying under this disease?—He did not, because there had been no dissections previous to our attendance.

Did he previously communicate to you such facts as established the same conclusion, that the visible parts of the dissection were in fact precisely that which must inevitably be the case?—Those facts we learned only by dissection; we learned by dissection, the coincidence of those appearances with the symptoms of the disease.

Do you mean to say, that in your experience, if a patient died of a certain distemper, and which you had been in the habit of treating in former times, you would not be able to know pretty well what those appearances would after death be?—It was presumed, that the different symptoms of this disease arose from the same cause, and constituted the same disease, but we had no certainty of it until we ascertained the identity by dissection.

You mean to say, that Dr. Hutchison did not tell you what the appearances would be after death, which upon your dissection you found had taken place in the morbid body of the party?—I do not recollect his stating it.

You have stated, that this dissection convinced you that the disease tended to produce irreparable organic mischief to the intestines, and thus producing bowel complaints, were you aware of this circumstance before the dissection?—We thought it likely to be the case, but we were not certain.

Did you, at your earlier visit, recommend four ounces of meat to be cut up into pieces and mixed with the broth for each prisoner, before you abandoned the use of broth altogether?—We did.

Did the late medical superintendent suggest to you to abandon the use of broth, and to administer solid animal and vegetable food?—Very likely he did; we had frequent communications with him.

Cannot you state positively whether he did or not?—I cannot recollect distinctly whether he did or not; our communications were very open and free.

Dr. Roget.

(May 16.)

They were very friendly?—Quite so.

Have you heard of the efficacy of lemon, or lime juice, in this disease, at sea?—I have.

What is your opinion of the citric acid, as compared with the use of oranges, which it appears by your Report you have recommended?—I consider oranges as another form of citric acid.

Does it convey, in the same quantity as to weight, so much of that anti-scorbutic principle as the citric acid does?—The citric acid itself is never given; it is given in the form of lemon or orange juice.

Supposing a lemon was given to be sucked?—The juice of a lemon may convey more acid than the juice of an orange; probably it does.

In what respect did your treatment of the diarrhœa differ from that of Dr. Hutchison, the late medical superintendent?—We adopted a great variety of treatment in different cases; our treatment was by no means uniform.

Can you establish, to the judgment of the Committee, that there was any such distinct difference in your prescriptions from those of Dr. Hutchison, that you would be enabled to give a satisfactory reply?—I can mention one principal difference in our practice, which was, that we found the diarrhœa could be controlled most effectually by the use of mild preparations of mercury; we had been given to understand that Dr. Hutchison had found that practice not advantageous.

Do you mean mercury in any mode?—Yes; and he distinctly laid down the principle, that mercury in any form was prejudicial; we, on the contrary found, according to our observation, that it was very useful.

Will you state in what form you did give it?—In the form of hydrargyrus cum creta.

In those prisons where you mention the diet to be less in quantity, is the exercise allowed or enjoined to prisoners to the same or a greater extent?—We have made no difference in the exercise from what it was previous to our visit, with the exception I have stated, of the time of exercise of the women on Sundays.

In one part of your answer you stated, that you did not think that the sea scurvy was of an infectious nature?—We do not think so.

Do you mean to say that the sea scurvy, in open ulcers, would not be infectious?—We stated generally that it would not be infectious.

You stated that the flux and dysentery are not of an infectious nature?—They are not so considered by medical authorities.

Would you say, that if any two persons with a flux, or dysentery, were to proceed to the same privy, and two persons, in perfect health, were to proceed thither, they would not run the risk of being affected by that painful and malignant disease?—There is very little evidence of such risk being incurred.

In several of the prisons from which you have received reports, there is less sustenance given than is given in the Penitentiary, but is there any one in which there is so much liquid?—I think not.

In the course of your medical practice, have you been in the habit of attending the poor?—I have, very much.

When a poor person has had a pound of bread per day, or a pound and a half, two pints of oat gruel, six ounces of meat boiled down in half a pint of broth, with one pound of potatoes, on three days of the week; and on the other three days, a quart of broth thickened with Scotch barley, rice, pease or potatoes, with a pound of potatoes, have you found bowel complaints very common?—No, I have not.

Do you then attribute the complaint you found in the Penitentiary, in any great degree, to the diet of the prisoners?—I do; to the diet, combined with the other causes which exist in the Penitentiary.

Of which cold is one?—Yes.

But not to the peculiar nature of the atmosphere, or dampness?—No.

You imagine that absence of exercise, combined with cold, is one of the material causes of this sickness?—The absence of exercise attended with occupation and interest; I do not consider the exercise at present in the Penitentiary to be insufficient, considering the circumstances in which the prisoners are.

Will you state again what are the causes to which you ascribe this sickness?—The diet, I consider as the principal cause; the severity of the winter has contributed its share; and also various moral causes which are inseparable from confinement in a prison.

You admit, probably, that the dietary of those prisoners is nearly the dietary of a great proportion of the labouring poor of this country?—Certainly.

In

In cases of dysentery, is not the use of mercury very prevalent, and almost universal?—It is generally prevalent.

Dr. Roget.

Particularly on board His Majesty's ships of war?—I have no experience as to naval practice.

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You have stated that that complaint is not contagious; have you been in foreign countries?—I have been on the Continent.

Has not that sentiment universally prevailed on the continent of Europe, that dysentery is contagious?—I am not aware that it has.

But you are aware that mercury is in universal use in that complaint?—Among British practitioners it is.

Is it not true, generally speaking, that when the mouth becomes affected, the violent irritation of the bowels begins to diminish?—That is usually the case in genuine dysentery; in scorbutic dysentery, the same rule may not apply.

To the best of your opinion, the atmosphere of the Penitentiary is not injurious to the health of the prisoners?—I think it has not contributed to this disease; whether it may generally have impaired the health of the prisoners I am not prepared to say, not having observed their state of health for a sufficiently long period.

Have you not observed, in the course of your practice, that the neighbourhood of miasmata, or marshy ground, affects different individuals in a very extraordinary manner, that is, that persons of a weak and sickly frame are much more likely to be affected by it than those of a stronger habit?—That is certainly the case.

That is nearly universally true?—Pretty generally so.

You have mentioned, that in some prisons a less quantity of food is allowed than even in the late dietary which was found so deficient in the Penitentiary; in those prisons, is the quantum of exercise just the same as that in the Penitentiary?—I believe nearly the same; I do not recollect precisely.

Was there any appearance of sea scurvy in Stafford and Devizes?—There was none reported in the accounts received.

Have you any further information to give to the Committee on topics to which your attention has not been specially called?—Nothing occurs to me.

You know what the tread-mill is; do you consider that it is calculated to injure the individuals at all who are employed in that way?—Reasoning without experience, I should not think it would injure the prisoners.

(*To Dr. P. M. Latham.*)—Is that your opinion?—Certainly; and as far as medical opinion has been ascertained upon this subject, I understand there is only the objection of one medical man to the employment of the tread mill, and he says it is calculated to produce hernia.

Are you of that opinion?—I have not seen the tread mill myself.

(*To Dr. Roget.*)—Are you acquainted with the gaol of Newgate?—I am not.

Or any other large prison in the metropolis?—No.

Are you of opinion, that if prisoners in any other prison of the metropolis not near the river Thames; for example, in the prisons of the city of London or Cold Bath Fields; had been confined to the same diet as has been practised at the Penitentiary, and managed precisely in the same manner, they would have been liable to the same sort of complaints?—I think they would.

Do you happen to know whether there is any such complaint in the prison at Cold Bath Fields?—I do not.

(*To Dr. Latham.*)—You have heard the evidence that has been given by Dr. Roget, have you any information to give to the Committee upon the same subject?—I judge by the questions which were put to Dr. Roget, that the Committee doubt whether the fact was established of the prevalence of scurvy as early in the Penitentiary as we have stated in the Report. Dr. Roget said, we ascertained it from the evidence of the prisoners there; we have stated, that a few cases of scurvy appeared as early as the month of November, and we had this, it is true, upon the evidence of the prisoners themselves, and we found a great difficulty in fixing the prisoners to particular dates; but, with respect to one prisoner, we ascertained this fact, which seems to be incontrovertible, as involving a circumstance which must have served to fix the date in her own memory, she was made wardswoman early in November, and the spots which were then upon her body she had observed before that time.

And those spots were scorbutic?—Yes.

Have you reason to believe that the disease is breaking down, and that within a reasonable time it will be conquered, and that the health of the establishment will

Dr. Roget.

(May 16.)

be restored?—All the relapsed cases are less severe than they originally were, and there is no one of the relapsed cases concerning which we have any apprehension at this moment.

Are the new cases less severe than they were in the earlier part of the year?—With respect to new cases, at the latter end of last week I went round the infirmaries, for the express purpose of ascertaining how many new cases there were, and they did not amount to more than eight.

Do you know what has been the number of deaths since the beginning of the year?—Twenty-seven; thirteen men and fourteen women, from the first of January up to yesterday.

What has been the number of deaths in consequence of the scurvy and the diarrhoea?—Ten absolutely of this disease.

Are there many cases of decline in the hospital at present?—(*Dr. Roget.*) Yes.

Do you mean, decline connected with this complaint?—No; pulmonary consumption.

Does not this disease show itself in pulmonary consumption?—No, they are quite distinct.

To what do you ascribe the prevalence of pulmonary complaints in that situation?—They do not appear to be particularly prevalent in the Penitentiary.

Do you recollect how many cases there were?—I do not recollect the exact number.

Are there three per cent upon the population of the prison?—It is considerably under three per cent.

You have stated, that a woman was afflicted with spots as early as November, how do you know that those spots were scorbutic?—(*Dr. P. M. Latham.*) Of course, it entirely rests upon her evidence; we saw certain spots upon her, which we knew to be scorbutic; and she stated, that she had spots, precisely of the same character in the month of November.

At what period did you see those spots?—In the commencement of March.

It is only her evidence upon which you rested then?—Just so.

Had you had any previous experience of the disease called sea scurvy, before you went into the Penitentiary?—All the cases of scurvy I have seen, have been single, and occasional cases of scurvy, such as occur in the London hospitals.

(*Dr. Roget.*)—My experience is of the same kind; I have seen occasional cases, in workhouses and hospitals.

Sea scurvy?—(*Dr. P. M. Latham.*) It is found there is no distinction; that the disease known by the name of sea scurvy is in fact amphibious.

(*To Dr. Roget.*)—Are you not in the habit of attending one of the dispensaries?—I am; I have been physician to the Northern Dispensary for the last thirteen years.

Whenever there is low diet and diminished food, is not that disease, whether on board ship or on shore, one of common occurrence?—(*Dr. P. M. Latham.*) I do not know that it is one of common occurrence on shore; it is considered that any causes which are calculated to depress, may possibly produce this disease among many others.

Do you know, as a medical fact, that in besieged towns it is a disease of common occurrence, where inhabitants are straitened for food?—Yes.

Does not that arise more from the nature of the food than from the paucity of the food?—As a cause for the introduction of the disease, it is hardly possible to make a distinction between paucity of food and improper quality of food; both operate equally injuriously.

Is not the constitution affected by salt meat; does not that produce scurvy?—Yes; but I do not know that that is an exclusive cause of scurvy.

Are you aware whether, in besieged towns, the disorder has not prevailed in consequence of the nature of the food, and not the diminished quantity of it?—Yes.

You just now mentioned a woman having stated to you, that she had been subject to those spots early in November; did she at that time state having been subject to any medical treatment for those spots?—No.

Had she in the interim, between the month of November and the time when she spoke to you, been well again?—No; the spots which she had observed in November, still continued down to the time when we saw her.

How long had she been in prison?—She was of the second class, and probably she had been a considerable time in prison, as I judge by her number; the register number was 329.

(To

(*To Dr. Roget.*)—In the change of diet which you have given in, as recommended in the Report, you have exchanged the brown bread into white?—We have.

Dr. Roget.

Upon what principle did you do that?—We considered brown bread as much more likely to disorder the bowels in their then state of irritability.

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You think that, in general, brown bread contains in it something more purgative than white?—Yes.

Alexander Copland Hutchison, M.D. called in; and Examined.

HOW long were you principal medical officer in the Penitentiary?—Very nearly seven years.

Dr. Hutchison.

As you filled that situation at the period when this disease was at its height, will you inform the Committee what you should consider to have been its cause?—I should think insufficiency of nourishment, and want of proper air and exercise, the chief causes.

Was it not in July that the new dietary was established?—I believe it was in July.

Did you consider the old dietary as sufficient?—I thought, with the committee of the Penitentiary, that it was rather too much.

What symptoms were there among the prisoners of its being too much?—A fullness of habit.

In point of fact, did it not happen at times that portions of this food was not even eaten by the prisoners?—Sometimes.

And the effect upon the general health of the prisoners was plethora?—Yes.

Is it within your knowledge, that a great deal of food was carried out of the prison, potatoes for instance?—Potatoes I believe were.

As not being wanted by the prisoners?—Yes.

Carried away in the pig-wash?—Yes.

When the new dietary was established in July last, were you consulted, and your opinion taken upon the change?—Not in July.

When was it first taken?—On the 18th of March 1822; I had been however consulted upon the subject of the change of dietary, by different members of the committee, for a year or two previous to their applying to me officially for my opinion, in regard to what reduction the then existing dietary could bear, with due regard to the health of the prisoners.

Did you propose to the committee any alteration in the dietary?—In consequence of their application to me on the 18th of March 1822, I addressed a letter to the committee, dated the 22d of March; in which letter I stated, that I thought the then existing diet to be too high; I stated my reasons why it should not be reduced too much, and those observations were followed by the scheme of diet which I submitted, with deference to the opinion of the committee; after this, my letter goes on to say, that the question involves some serious considerations, and I found it one of very great difficulty to answer precisely; I therefore suggested to the committee, the propriety of consulting some medical men of science in this town on so important a subject, as making any great alteration in the dietary of the prisoners; in that letter I mentioned the names of Dr. Wollaston, Sir Gilbert Blane, Dr. Baillie, Sir Everard Home, and Mr. Cline.

By that letter you recommended, that the dietary for the Penitentiary should stand thus:—"The daily allowance of bread to be precisely what it now is; gruel the same, night and morning, warm; and one quart of broth to the males, as now made (or with ox cheeks); the same quantity to the females employed in the wash-house and laundry; the other females, one pint and half during six days in a week; eight ounces of meat, the same as heretofore, on Sundays, with one pound of boiled potatoes, omitting broth on this day altogether for every description of prisoners." What do you mean by "as now made, or with ox cheeks"?—I meant merely that the broth should be of the same strength and quality, as was then issued to the prisoners.

The Committee are to understand, that according to your recommendation, the allowance should be, the juice of five ounces of meat in the soup, to each prisoner daily?—It will appear by my letter of the 22d March 1822, which is in evidence before the Committee, that the allowance of broth recommended by me, was twenty-one pints a week for a male and female jointly, (the male having more than the female); and I estimate, that this weekly quantity would contain the nutriment of twenty-eight ounces of raw meat.

Dr. Hutchison.

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In addition, eight ounces of meat, the same as heretofore, on Sundays, with one pound of boiled potatoes, omitting broth on that day altogether?—Yes; which eight ounces of solid meat, (being sixteen ounces to a male and female jointly, and weighed when boiled) I estimate to be in like manner derived from twenty ounces of raw meat; thus raising the joint allowance, to be weekly supplied to a male and female together, to such a quantity of nutriment as could be derived from forty-eight ounces of raw meat weighed without bone.

That amounts to thirty-eight ounces of meat weekly; eight solid, and thirty liquid?—It rather appeared, that the scheme of diet proposed by me, recommended in substance, that for each couple of male and female prisoners, considered jointly, there should be allowed every week, a consumption of forty-eight ounces of undressed animal food; as was fully evident from a calculation which I had made to me by a friend.

Do not talk of your friend's calculation at this moment; you have stated to the Committee, that taking one day with another, you proposed in your dietary, that each person should have the juice of five ounces of meat in a day, in his soup, and on Sundays eight ounces of solid meat, there are six days in the week independent of Sundays, that would make thirty, and eight ounces on the Sunday in solid; your recommendation would amount therefore to the juice of thirty ounces of meat per week, and eight ounces in solid?—I beg to refer to the recommendation itself, which is in evidence before the Committee, and from which it will obviously appear, that the allowance of broth and meat together, which I proposed for both a male and a female, was equivalent to forty-eight ounces of undressed meat per week.

What was the allowance in the old dietary?—The old dietary allowance, according to my calculation, contained the result of seventy-six ounces of raw meat per week, for a male and female together.

What was it for each?—There were six ounces of clods and stickings four days in the week, after being boiled, and without bone.

Of solid meat?—Yes.

Soup on three days?—Yes; and a small quantity of broth on the day they had the meat.

Altogether, what was the difference between your plan, in point of reduction of food, and the old dietary?—By the old scheme, the week's diet for a male and female together, consisted, in respect of animal food, of forty-eight ounces of boiled meat and thirteen pints of broth; and I know that such a quantity of food, having particular regard to the strength and quality of the broth, as it was then given, is the produce of seventy-six ounces of raw meat, weighed free of bone; whereas the weekly allowance of dietary proposed by me, for a male and female together, was to consist, in respect of animal food, of sixteen ounces of boiled meat and twenty-one pints of broth, such broth to be of the very same strength and quality as that previously in use; and I know that this last quantity of food would result from forty-eight ounces of raw meat free of bone: the proportion, therefore, which the animal food, in the old scheme, bore to that in the dietary proposed by me, was as 76 to 48, which is nearly as three to two.

The old dietary had more of the animal fibre than yours?—Considerably.

Therefore the alteration in the quantum of the dietary was a reduction in the solid meat?—Yes, but with some increase of the liquid nutriment.

According to your plan then, there would have been an increase of the quantity of meat consumed in the ratio of thirty-eight to twenty-four, though to the prisoners the quantity of food would have been less, from the fibre being taken away?—I do not understand the question.

Under the old dietary, twenty-four ounces of solid meat was given in a week; you proposed giving eight ounces of solid and thirty of the juice; therefore, as far as the consumption in the prison was concerned, there would have been a greater quantity of meat consumed, though the prisoners would not have it in the same form?—It will rather appear, from what has been stated, that although the liquid nutriment proposed by me was greater than on the old plan, the quantity of animal matter therein contained was, on the whole, one third less.

Are the Committee to understand, that by the fibre you mean soup and bouillè?—No, solid meat.

There were twenty-four ounces given, solid and fluid, in a week; twenty-four ounces consumed by each individual in a week; by your plan, there would have been thirty-eight consumed?—I have already explained, that by my plan there would have

have been no more than the produce of forty-eight ounces of raw meat consumed in a week, by both a male and a female jointly.

According to that statement, the consumption of each person would be the juice of five-and-twenty ounces, and the solid of eight?—There would have been eight ounces of boiled meat to each person, or sixteen ounces to a male and female together, besides twenty-one pints of broth of the same strength as heretofore in use; but this quantity of food, including both the boiled meat and the broth together, would result from forty-eight ounces of undressed meat, weighed free of bone.

Did you state any quantity of ox cheeks?—No.

Do you know whether the opinion of any medical persons was taken upon the change of the dietary?—There was an opinion; I procured, for the Committee, the opinion of a friend of mine, who recommended four ounces of meat four days in a week; that was Dr. Magennis, an old colleague of mine, and formerly surgeon to prisoners of war at Norman-cross.

Do you know whether Sir James Macgregor was consulted?—Sir James Macgregor, I believe, was consulted; indeed I know he was; for he asked me, in his own office, concerning the change of diet; and when I named to him the scheme I had formed, he said, he was very glad to find that our dietary was so nearly alike, for that his was as near to mine as possible.

Did you ever see any scheme delivered in by Sir James Macgregor?—No, I did not.

Have you ever heard that he delivered in any scheme?—He told me lately that he sent a note to the committee of the Penitentiary, and which it was his intention to apply to the committee for a copy of.

Have you ever heard him say, that he disapproved of the old dietary, or, that he approved of the new?—No; I heard him say, in the secretary's office, not long since, in the presence of Drs. Roget and Latham and of Mr. Holford, that the dietary the committee had fixed, was lower than that which he recommended.

Did he, at that time, when he made that declaration, acknowledge, in your presence, that he had seen the dietary so settled, and had approved of it?—No, he did not.

You say you did consider a part of the cause of the prevailing illness to be a want of sufficient air and exercise; will you state what you conceive the quantity of air and exercise allowed to be?—In the month of October I reported to the committee, that several of the prisoners told me they had not more than five minutes exercise; and which I then stated to be too little to preserve health.

Did you verify that by any communication to any officer of the establishment?—I made a statement in writing to the committee of that representation, which I considered it my duty to do; the men complained to me that they had not more exercise than five minutes; and having so made this statement to the committee, if they had wished to make any inquiry or investigation into the truth of that statement at the time, I presume they would have called upon me, or sent for me, or written to me, upon the subject.

Do you recollect at what time it was that that complaint was made?—On the first day or two in October.

Was Mr. Holford with you at the time it was made?—I cannot recollect.

Did not you refer to Mr. Holford, in proof that such a complaint had been made in the presence of Dr. Roget and Dr. Latham, in conversation at the Penitentiary?—The complaint made to me I officially communicated to the committee.

Did you not refer to Mr. Holford, in proof that such a complaint had been made in the presence of certain men?—Yes, as one of the members of the committee to whom I had officially communicated it.

Must not Mr. Holford therefore have been with you at the time that complaint was made by the prisoners?—Mr. Holford was not with me at the time, to the best of my recollection, otherwise there would have been no necessity for my writing officially to the committee upon the subject.

Was not he going round the prison with you at the time?—No, he was not.

Is your opinion, that the want of air and exercise is, in part, the occasion of the prevailing sickness, founded upon the presumption that, at one period, any of the prisoners had only five minutes exercise during the day?—I merely stated that the prisoners came to me and complained of their not having more than five minutes walking exercise. This representation of mine was a day or two only after the prisoners had so reported it to me, and that was the time that I supposed inquiry would have taken place.

Dr. Hutchison.

(May 16.)

Dr. Hutchison.

(May 16.)

Do you know what quantity of air and exercise is allowed by the rules of the prison?—I cannot say precisely at this moment; but in my professional communications with the committee, I invariably referred to the printed rules; and from the printed rules I saw precisely what allowance of air and exercise prisoners had.

Do you now recollect, or know, what is the period of air and exercise allowed to the prisoners in the Penitentiary?—It differs very much between winter and summer.

What is it in each?—I believe in the winter months, I am not quite certain, but I believe ten minutes or a quarter of an hour was allowed, once or twice a day; but it is optional, there being no rule for it in winter.

By the regulations?—I have already stated there was no rule for the winter.

Do not you include the time of the pump and mill, in air and exercise?—The pump and mill I conceive to give exercise chiefly to the arms and the trunk, and is not like walking exercise; and this is to be the more remarked, because of the occupations of the prisoners, they being either tailors or shoemakers; therefore, from their sedentary habits, they require more exercise to keep them in health than persons of another description.

When the prisoners are at work in the mill, do not they stand upon their feet?—Yes; but standing upon their feet has not the beneficial effect of walking.

Is there no motion of the muscles, from the whole body moving with the wheel?—It is not alternately moving the arms which is so beneficial as other exercise, such as the alternate action of the muscles of the legs and thighs.

Do you know whether the committee have, or not, made any inquiry as to the truth of the fact communicated by you?—Not until after Drs. Roget and Latham were called in.

Do you now believe, that the committee were misled to suppose that they had only five minutes air and exercise in walking, in the course of twenty-four hours?—It is impossible for me to suppose what the opinion of the committee might be upon that occasion, or whether they were misled or not; all I had to do was to make the statement to the committee as it came to me from the prisoners, leaving the rest to their judgment and investigation.

You have stated, that you believe the want of air and exercise to be one of the causes of this disease; do you now believe there ever was any period in which the prisoners had only five minutes air and walking during that day?—I am not giving my own opinion; but having it upon the *ipse dixit* of the prisoners, that they were only allowed five minutes, it was my duty to report it.

You have stated, that you believe a part of the cause of the illness to be a want of air and exercise; on what belief of the quantity is that supposition founded?—It is because the prisoners have frequently complained to me, that their legs and knees were sore and cramped by sitting so long; and from looking over the instructions and rules of the institution, it appeared to me that they had not sufficient exercise; and I frequently mentioned to Mr. Holford, particularly, when he remarked as to tailors, that they did the same in private life; I said no, for they had to run a considerable distance to dinner, they had the Sundays, and had to run about, sometimes, from morning to night; all those circumstances have passed in conversation, and I have on various occasions continued to urge the necessity of greater exercise.

You have stated, that, in all your official communications, complaining of the want of air and exercise, you referred to the rules; can you then state any one official communication in which reference was made to the rules?—I meant by that answer to imply, that, in making my official communications (to be as correct as possible, where I had to give them on quantity) I referred for correctness sake (whilst writing) to the rules.

Can you state any official communication, made by you to the committee, upon the subject of air and exercise, except that statement of the 4th of October?—Yes, there is one; (it is unfortunate for me that I did not keep copies of my letters until last June, except that one of the 22d of March 1822. I have copies of my replies to letters from the committee; some of them with, and some without dates; but invariably since June last, I have kept copies of *all* my communications.) There is one letter I say to which I beg to call the attention of the Committee; it is a letter which cannot be forgotten; in which I used the word "trot." Mr. Holford said, "You mean, double quick time;" I said, "I thought the prisoners should be made to move quicker

quicker in the yard, as quickly as they could; that this would very much tend to the preservation of the health of the prisoners."

Dr. Hutchison.

Do you mean, that that passed in a letter, or a conversation?—In a letter; I am quite certain of that.

(May 16.)

Dr. P. M. Latham called in; and further Examined.

WHAT reason had you and Dr. Roget for adopting the use of oranges, instead of the use of lemons?—Dr. Roget and myself had no doubt whatever of the antiscorbutic efficacy of oranges; we considered the acid of oranges and the acid of lemons to be essentially the same; it rests upon the best authority that oranges will cure scurvy; I may particularly refer to a paper of Dr. Heberden's, a man of some authority, in the Medical Transactions of the College of Physicians, in which he relates several cases of aggravated scurvy in St. George's hospital cured by oranges; for my own part, all the cases of scurvy I had seen, up to that time, had been cured by oranges, and not by lemons; considering then that oranges were as efficacious as lemons for the cure of scurvy, we gave the preference to oranges as a more suitable article of diet; we considered that, if a lemon was given to each prisoner, there was a chance that he would not eat the lemon, but if three oranges a day were given to each prisoner it was certain he would eat the oranges.

Dr. Latham.

Do you happen to have heard whether this disorder has prevailed in Norwich gaol lately, and how it has been cured?—I happen to know for a certainty that it has prevailed in Norwich gaol, and has been cured by oranges.

Sir Gilbert Blane, Bart. M. D. called in; and Examined.

YOU have heard the statement made by Dr. Latham upon this subject; do you consider oranges as effective in curing the scorbutic complaint as lemons?—By no means; it is established on the most perfect practice, that of our navy, in thousands of cases, that there is not the smallest resemblance in oranges to the virtue of lemons.

*Sir
Gilbert Blane.*

If a ship, infected by the scurvy, were at Lisbon, or an island where oranges were to be procured, should you make use of them?—By no means, if I was in a situation where I could by any means procure lemons; the use of oranges might diminish it, as apples and pears would, but not act as a specific, as lemons would; merely as fresh fruit; oranges are perfectly inert in the sea scurvy, there is not any virtue in them, except as fresh fruit. I have had thirty-six ships at sea, in an orange country, where we could have had any number, but the oranges did not make the least impression.

What is the difference between the sea scurvy and the land scurvy?—What is commonly called land scurvy, has not the least resemblance to sea scurvy; what is commonly called scurvy, in common language, is a cutaneous disease, it has not the least resemblance to sea scurvy; by some accident in the language they have been called by the same name; land scurvy takes its name from scurf; sea scurvy gets its name from a Saxon word, meaning a sore mouth.

Does the land scurvy affect the intestines?—No.

If this disorder has affected the intestines, is it not a proof that it partakes of the nature of sea scurvy?—Entirely so.

Do you know any thing of the nature of the disease in the Penitentiary?—Only by hearsay.

Do you believe that to be sea scurvy, or not?—From the description, I have no doubt that it is sea scurvy.

You have seen many people in the last stages of sea scurvy; when that appears upon the flesh or muscle of a person totally diseased with sea scurvy, does it not leave a complete wound upon that flesh or muscle, as much as if you pressed upon so much putty?—On the lower limbs.

Did you ever hear that that was the case in the Penitentiary?—No, I never heard it; if it was the sea scurvy, the sea scurvy shows itself, first by a sore mouth and then in the legs.

How long have you been in a situation to be particularly conversant with the sea scurvy?—I was four years physician to the fleet, in the West Indies, when from thirty to forty sail of the line were under my medical superintendence.

Lunæ, 26 die Maii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Alexander C. Hutchison, M. D. called in; and further Examined.

Dr. Hutchison.

(May 26.)

AT what period were you first acquainted with the state of the disease in the Penitentiary?—Of the scurvy?

Yes?—About the 11th, 12th or 13th of January.

In what form did the disease then present itself?—It appeared in the case of a man of the name of David Jones, which was the first case of true scurvy that appeared among the convicts.

What do you mean by true scurvy?—I mean by that answer to imply, that it was the scurvy, without hesitation.

Were there any symptoms prior to that which would have made you believe that though there might not be what you call true scurvy, there might be incipient scurvy amongst the convicts?—Not as it occurred to my knowledge.

Did you observe, at the fall of last year, any failure in the strength, or any change in the outward appearance of the prisoners?—No, I did not.

Did the matron or any other persons in the Penitentiary, communicate to you that such had been her or their observation?—One of the gentlemen of the committee, I believe Mr. Rennel, asked me, in the month of January last, whether I did not observe, that the prisoners looked thinner and paler than they had been accustomed to do previous to the change of the dietary; my answer was, that they did not appear to me to look more peaked in the countenance, than what we might naturally attribute to the severity of the weather that then prevailed.

Was that question asked in the committee, or asked you out of the committee?—In the committee.

Prior then to the month of January, was any report made to you by any one, that the strength of the prisoners was failing, that they could do less work, and that the women particularly, felt faintness, occasionally?—Certainly not.

Was any complaint made to you by the prisoners themselves, that either the food was insufficient in quantity, or that it did not agree with them?—They were constantly making such representations to me when I went round, more or less; but the complaints were more numerous the first three months of the new dietary than subsequently, excepting from January last, when they increased their complaints very much.

Then during the months of August, September, and October, the complaints on the part of the prisoners were very great, in respect to food?—Greater than subsequently.

That in November and December those complaints ceased generally, and in January they were renewed again?—Yes; in the female department.

Did you report to the committee that those complaints were made to you?—I did.

In what way did you report, was it verbally, or by letter?—By letter.

Have you got that letter?—I think I have; and I mentioned it in more than one letter.

The Committee are speaking of the period between July and January?—If the Committee will give me leave to refer to the document, I can speak more decidedly.

[The witness referred to a paper.]

I do not know how frequently I may have done it; but I will produce to the Committee a letter dated in August, which I will read: "In making my monthly inspection of the prison and prisoners yesterday, I was beset by two or three parties, requesting that I would represent to the committee the inadequacy of the dietary, as lately established, and which they said would be allowed, if I were to do so, some of the principal officers having so informed them; I have therefore to request, assuming this statement to be true, that the committee will be pleased to direct those officers to refrain in future from such representations; as they ought to be aware, that I have no such power as that now described."

Was that letter addressed to the committee?—It was addressed to the secretary, and dated the 7th of August.

As the new dietary was established in July, you must have had, between July and

and Christmas, several monthly reports to make ; in those monthly reports, did you state the complaints of the prisoners in respect of the deficiency of food?—I believe my reports were made at that period, as to the dietary, quarterly.

Dr. Hutchison.

(May 26.)

What was the date of the quarterly report at the end of the year, between August and January?—4th October.

Have you got the quarterly report you made on the 4th of October?—It is printed by order of the House.

Did you, for a certain time, sign the monthly reports, along with Mr. Pratt?—I did, for several years.

When did you leave off so doing?—I cannot charge my memory with the dates ; my quarterly reports will show ; and the monthly reports.

Why did you so leave off?—Because it was the surgeon's duty, according to the rules and regulations.

Did you, during the whole of that period, watch narrowly the health of the persons in the Penitentiary, to see the effect of the change of dietary?—I did.

Is the Committee then to understand, that from July to January, notwithstanding the complaints that the people made, as to the deficiency of the food, there was no external appearance which attracted your observation, which went to prove that their health had suffered by that deficiency?—Not any.

Is it a part of your duty to make the personal inspection of every prisoner in the Penitentiary?—At the beginning of each month it is.

Is that made merely by looking at them, or are they stripped and examined?—Merely by looking at them, unless my attention were called to any particular case by the surgeon or matron.

Did you do that during all the months of August, September, October, November and December?—I did.

And during the whole of that period there was no appearance of increased ill health, externally, in the prisoners ; no complaints of failure of strength, either from them or any person in the Penitentiary?—It is impossible for me to charge my memory as to what complaints the prisoners themselves made on that score, but there certainly was no complaint made to me, officially or otherwise, by either the surgeon or matron.

Did the taskmaster at the mills ever state to you, that the prisoners work less strongly and vigorously than heretofore?—I cannot recollect that they did.

You have stated, that the prisoners complained of the deficiency of food ; did any of the officers of the Penitentiary state to you, that in their opinion it was deficient?—Yes, they did.

At what period?—From the first day, I believe, almost, that the reduction took place, up to the last.

Who are the officers that made that complaint?—There may be more than I am about to name ; but I will mention the surgeon and matron, and some of the nurses ; those are all I recollect at present.

Was it your opinion, during the whole of that period, that those complaints, on the part of the prisoners, and those opinions on the part of the officers of the establishment, were unfounded?—I had to use my own sense of what I judged to be the truth, after hearing the statement of the prisoners, and the statement of the officers ; I confess, upon looking at them, they did not appear to me to be more emaciated or weaker, or more poor in their habit, taking the severe cold into consideration, than they were before, and I attributed the observation of the nurses to the unkind feeling they evinced to that change of diet the committee thought fit to adopt.

Was it ever represented to you, that the women brought up the soup in the evening ; that their stomachs rejected it?—That was in the month of January, when so much sickness prevailed ; not before.

Are you sure no complaint of the sort was made to you in November last?—Not to my recollection ; in January it was, or at the end of December, when sickness prevailed very much in the female department, and the males remaining exempt from it.

You have stated, that the disease showed itself in scurvy, early in January ; could that disease have been latent in a considerable number, or most of those persons, who have since been affected by it prior to that period?—I took some notes on this occasion, which, with the permission of the Committee, I should be happy to refer to.

Dr. Hutchison.

(May 26.)

At what period?—At the period the scurvy first made its appearance. David Jones was the first case; Mary Ann Davison, William Payne, Charles Evans, and Elizabeth Malony; those were the five cases that existed, and only existed in the institution, to my knowledge, on the 8th of February, when I addressed my first letter to the committee. All those recovered, excepting Davison, who died of a consumption; and Jones, the first and worst case, was discharged, cured, on the 27th of February. Those were all the cases in which the scurvy manifested itself up to the date of the 8th of February, when I addressed my letter to the committee. The first was received into the infirmary, by my notes, on the 2d of January, with a pain in his side, on which account I prescribed for him the blue pill, &c. Some days after this he complained of a pain or rigidity of his left leg, the side on which he had previously complained of pain; Mr. Pratt said it was nothing. The next visit he still complained; I then insisted on seeing the leg affected; the disease was evident, and I put him on a full and permanent diet, and continued the medicine. In one of the next few visits, Mr. Pratt inquired of me what that disease was; my reply was, that it was well known to me, and that he would soon recover. This brought the case towards the end of January, when I was requested to see an ecchymosed blotch on the thigh of the consumptive patient, Mary Ann Davison, who had been dying for months of phthisis pulmonalis; she was ordered as much nourishing food as she could take, with lemonade and oranges. Then followed the three other cases.

When I officially announced the existence of scurvy, I was unwilling to name the disease to the surgeon, fearing that the alarm would be soon spread over the prison, and perhaps the neighbourhood. It must be evident that my reserve arose from a respect to the committee, as I was not responsible for the diet; and had I made it public then, I might, perhaps, have saved myself from the imputation of inattention, now attempted to be cast upon me, from my not having regularly announced the disease. On the 2d of February, I ordered lemon juice for those cases, in addition to the improved diet on which I placed them; but it was not until the 4th of that month that it could be procured from Apothecaries Hall. I then ordered fresh lemons; and on Mr. Pratt asking me, if he should send for a dozen, my reply was, "Send for a couple of baskets." This disease is well known, to such as have experience in it, to appear among a ship's company, for instance, affecting only one, two, or half a dozen cases, while the others will remain perfectly free from attack; and hence I had hoped such might have been the case in the Penitentiary, as it was an entirely new disease in that institution; and I deny that the disease could be traced further back, in any one individual, than the period I have fixed; it was immediately after the severe cold weather it began to show itself. In Cold Bath Fields prison, and in Norwich Castle, only five cases occurred in each.

You will see that the answer you have given in is composed of two things; the one the notes which you took of the cases, as they presented themselves; and the other, comments upon what has taken place; since, of course, the Committee understand, that it is only the report of the cases which you wrote at the time?—If the Committee choose to separate the two, of course they can do so; they can put the questions to me in another shape.

What was the date at which you took those notes as to those cases?—In January and February.

The observations could not have been made before the cases that took place occasioned them?—Of course not.

George P. Holford, Esq. a Member of the Committee, Examined.

*G. P. Holford,
Esq.*

HAVE you found the letter, dated 8th February 1822, written by Dr. Hutchison?—The letter that Dr. Hutchison has inquired after, I received from Mr. Courtenay, and I will explain the circumstances under which it came to my hand, being anxious that it should not be supposed that the Committee of the Penitentiary had been negligent in keeping their papers, or unwilling to produce such as they had; the address of this letter is, "To the Visitor for the time being at General Penitentiary, or to Geo. Holford, Esq." dated the 8th of February, the committee day; and it reached Mr. Courtenay after the committee was over, probably the Sunday or the Monday; the letter is in these words:—"Sir, symptoms of scurvy have shown themselves lately in the cases of four or five convicts. The disease is, however, slight; the gums being only affected in a small degree in one case. I have studiously avoided naming the disorder in the Penitentiary, lest unnecessary

unnecessary alarm should be created. The disease is now on the decline ; not any new cases having appeared within these few days : but I shall keep a watchful eye over this new disease among the convicts, and shall report further if any material change takes place." On the 14th, a letter was written to the committee, which appears in the printed papers, in which it is stated, there are a few slight cases of scurvy among the prisoners, and more apprehensions are there expressed than in the former letter ; and there are also contained, in this letter of the 14th of February, some recommendations ; when the committee met, therefore, on the 15th, Mr. Courtenay considered the latter letter as the only important one at that time, and therefore did not bring the first letter to the committee, but has since found it among his papers.

*G. P. Holford,
Esq.*

(May 26.)

Alexander C. Hutchison, M. D. again called in, and Examined.

YOU have stated, the scurvy first made its appearance in a case of a man of the name of Jones, early in January?—About the eleventh, twelfth or thirteenth.

Dr. Hutchison.

That you had five cases between January and the eighth of February ; and that at that period, you were called upon to see a scurvy mark in one of the legs of a female patient ; did you, in consequence of seeing the disease increasing in extent, critically examine the legs of the other prisoners?—I did not, for the reasons I have already assigned, namely, that the disease sometimes showed itself in one or two or half a dozen cases, and went no further among the remainder of the persons.

Did you take it into your consideration, what was the cause of that disease for the first time making its appearance in the establishment?—In the two first cases in which it appeared, it appeared in the infirmary ; and it is not an unusual thing for the scurvy to attack persons confined to bed, while others, living in the same situation, but who are going about, may be exempt from it ; therefore I thought less seriously of the disease appearing in those cases than I might otherwise have done.

When did you first begin to think that the dietary had something to do with this disease?—Not until towards the end of February, perhaps a little beyond the middle ; the 17th or 18th perhaps, or the 25th. I cannot fix the date exactly.

You have stated in a note which you have read from the paper written, that you did not name the disease out of respect to the Committee, you being not responsible for the diet?—Yes.

That letter was dated the 8th of February ; at that time then, did you not begin to suspect the diet had something to do with it?—My mind was not made up fully on the subject? at one time I supposed that want of exercise might have as much to do with the disease as the food, the disease at that time being confined to a very few cases.

If you had been on board a ship, and you had found several cases of scurvy, and the seamen had been put on short allowance of food, should you not have considered that short allowance of food to have been one of the causes of the disease, would you not have examined the bodies of every seaman on board?—Not immediately, I should not ; but if the disease had spread, I should of necessity have been more attentive to that subject.

Is it not the practice on board ship, when scurvy commences, strictly to examine the legs of the seamen on board, to see what fresh cases are making their appearance?—Rules differ in different ships ; it depends very much upon the will of the captain.

In those ships in which you have been, was not that the practice?—In some it was, and in some not.

Do you not think that is a practice that ought always to take place?—Perhaps it might be advisable ; in the instance of the Penitentiary, however, I beg to submit, whether that was not a duty that ought to have fallen more properly upon the surgeon.

You have stated to the Committee, that from the different services you have been in, you were well acquainted with the cases of scurvy ; do you know whether the surgeon was equally well acquainted?—I should suppose not.

Did you state to Mr. Pratt, the surgeon, that the scurvy was in the establishment?—Not till after I had written my letter to the Committee.

You mean the letter of the 8th?—Yes.

Did you mention that to the consulting surgeon?—No, I did not, until after he saw it with his own eyes, because he was not in the habit of regularly visiting the prison or infirmaries.

Dr. Hutchison.

(May 26.)

The Committee see, by your letter of the 14th of February, printed, which is addressed to the Committee of the General Penitentiary, you state that the want of exercise seems to be the principal cause of the complaints which were then so prevalent, there is still in this letter not one word about the dietary; the Committee wish to know distinctly from you, when you first believed the dietary had any thing to do with it, you having stated, during all this time, that complaints were constantly making to you, by the prisoners and officers of the establishment, of the deficiency of food?—On the 24th of February I mentioned, “I am now quite confident that the food is not sufficient to shield the prisoners against attacks of scurvy and scorbutic dysentery;” there is one thing which I think I ought not perhaps to notice at present, but in reference to this question it is but fair I should do so; I have in this letter, the last clause of the letter of the 24th, written the word “correct” in the place of “incorrect;” I cannot claim any indulgence from not having stated it, because I find in the original copy it is written as it is here printed; but I humbly submit it may be considered, from the context altogether, that the word should have been otherwise expressed.

On the 10th of January you write, “But if I were asked, on my oath, whether I considered this circumstance, namely the disease, as likely to have arisen from the change of the dietary, my answer should be in the negative;” on the 14th of February you did not say one word about the dietary; still, up to the 14th of February, it was your opinion, notwithstanding the complaints of the prisoners and the reports of the officers, that the dietary had nothing to do with it?—That observation, the first clause read of the letter of the 10th of January, alludes to a disease of a very distinct character, which prevailed only amongst the females at that time, namely, coughs and pulmonic complaints, and a few cases of diarrhoea, which were suspected to be of a threatening nature; that observation did not apply to the scurvy, it was not known at that time.

You say it is clear it would not apply to the scurvy, for the scurvy at that time was not known in the Penitentiary; it must apply then to the state of health in the Penitentiary, to the disease among the prisoners, be it what it may?—I should say, when I inspected the prison on Thursday the second day of February, I found the prisoners in general, those in the prison healthy, and those in the infirmary improving rapidly from the indisposition that attacked them, and in proof of this, Sir James M^c Gregor had stated to myself and others, that the state of health was very good in the prison; that being the case, and there being only four or five cases of scurvy existing on the 8th of February, I do think there was no great time lost in announcing the existence of the disease.

On the 14th of February you write this sentence, “There being a few slight cases of scurvy among the prisoners, I beg earnestly to state to the committee, unless the convicts be allowed a greater share of exercise than they at present enjoy, particularly in the winter months, I feel quite certain that the scurvy will not only not disappear from among them by the cure of those now labouring under that malady, but also that other diseases, no less direful in their consequences, will eventually make inroads among them;” in that letter, not a word is mentioned of the dietary, so that on the 14th of February 1823, it was exercise, and not additional food, to which you looked for the cure of the existing diseases and the prevention of any future ones?—It will be recollected, that the two first cases of scurvy, out of five that occurred, appeared in two convicts confined to bed with other diseases; they had been deprived of exercise of any kind, and consequently were more pre-disposed to the disease than they otherwise would have been.

That is not an answer to the question; the question was this; on the 14th February you write this sentence, “There being a few slight cases of scurvy among the prisoners, I beg earnestly to state to the committee, that unless the convicts be allowed a greater share of exercise than they at present enjoy, particularly in the winter months, I feel quite certain that the scurvy will not only not disappear from among them by the cure of those now labouring under that malady, but also that other diseases, no less direful in their consequences, will eventually make inroads among them;” in that letter not a word is mentioned of the dietary, so that on the 14th of February 1823, it was exercise and not additional food to which you looked for the cure of the existing disease and the prevention of any future ones?—I wrote that sentence under the impression, as I before remarked, that the disease appearing in those who were confined to bed, it might be from want of exercise which made it appear among those, and if that had not been the case, it might not have occurred till it appeared in the others.

Dr. Hutchison.

(May 26.)

Did you suspect the dietary to be any cause of the disease?—Seeing the countenances of the prisoners in prison generally full florid and plump, I did not think myself justified in setting myself against the diet suggested by the committee.

The question is not as to your being justified in setting yourself against it, the question is, did you conceive the deficiency of the diet to be one of the causes of the disease?—It would have been impossible for me then to decide; if I had decided that was the case, I must have represented it to the committee.

Did you not, at that period, take it into your consideration?—I stated in one of my letters, it might be a year or two possibly before the change of dietary could make any impression on the constitution of the convicts, and therefore I did not think myself justified in making a formal complaint of it.

Had not the committee, but a short period prior to the 14th of February, asked your opinion as to the dietary?—In January.

What answer did you give then?—I mentioned what I stated in my report, that the prisoners did not appear to suffer in consequence of the diet; I think it was Saturday the 11th of January the question was asked me in the committee.

As you did not name, in the letter of the 14th of February, the dietary as being any cause of the then prevailing disease, why did you recommend that each of the prisoners should be allowed a hard biscuit daily to eat with their soup in the evening?—Because I was aware that the prisoners had no bread allowed them for supper, although they had for breakfast and dinner, and I thought it would be more comfortable to them; besides, there were several glandular swellings about the necks of some of the juvenile prisoners, and it struck me that a hard biscuit for them to eat might increase the action of the salivary glands.

Was that your own proposition, or the proposition of one of the committee?—It was my own; Mr. Rennel asked me why I recommended the biscuit, and I gave him that reason.

Did you recommend this biscuit because you thought that the disease then existing in the prison had any connection whatever with the deficiency of food?—It is impossible for me to say, at this distance of time, what might have passed in my mind at that time, I have no memorandum of it.

The Committee wish to know distinctly from you, when you first began to think that a want of food was a cause of the disease; the Committee have now got to the 14th of February, they see on the 24th of February that you recommended additional vegetables, did you then think that deficiency of food was any cause of the complaint in the establishment?—I recommended an increase of vegetables as a general thing in the prison, merely as a preventive against the appearance of scurvy among the prisoners.

When you recommended the bread and vegetables, did you recommend them as an antiseptic to the scurvy, or to give additional tone and strength to the constitutions of the prisoners?—As an antiseptic I gave the vegetables, but not the biscuits.

On the 28th of February, it was for the first time that it seems to have broke in upon your mind, that it was the deficiency of meat that was the cause of the disease, and you wrote the letter which is printed, and is now before us?—I did that, being under three weeks only subsequently to first noticing it to the committee.

Had you, at that period, examined the legs and the persons of the prisoners in the Penitentiary?—Not on the 28th of February; on the next day it was my intention so to have done, but Drs. Roget and Latham were called in and joined me, and had the whole charge of the sick by resolution of committee dated 28th February.

Might not the scurvy have been lurking in the legs of many of the prisoners in the Penitentiary during the whole of the months of January and February?—It is impossible for me to answer that question.

When you examined them, how many legs did you find showing marks of the disease?—At a round guess, about half of the whole of the prisoners.

You have stated, in your letters of the 8th and 14th of February, there were a few light cases of scurvy among the prisoners; on the 24th of February you say, in addition to those, there is "one well-marked case of scurvy, and two others of a less distinct character;" and on the 28th of February, that there were "four more cases of scurvy;" the Committee wish to know how many cases were discovered in the examination which began on the 1st of March?—In the number of cases mentioned by me in these letters alluded to, it must be clear to the Committee I allude only to such as were labouring under that disease in the infirmary, where they were immediately under my care. When I mentioned, a little time since, that on the

Dr. Hutchison.

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examination on the 3d of March, we found nearly half affected; those were in the prison, not in the infirmary; they never, therefore, had been under my care.

Will you mention in what part of the letter it appears those were cases only in the infirmary?—Because my duties are confined chiefly to the infirmary; the rules and instructions point that out; I never went into the prison unless I was asked to go.

Do you not consider that the prisoners at large were under your care?—If they were brought to the infirmary, then they would be under my immediate care; the prisoners in the prison being under the immediate care of the surgeon, between the medical superintendent's monthly inspections.

Does the letter of the 28th of February really relate to the infirmary, or the prison at large?—To both.

Why then is it to be understood, that the four cases of scurvy mentioned in the letter relate only to the infirmary?—Because, the Committee must be aware, my monthly examination had not commenced, because I invariably stated I had examined all the prisoners and their cells, and that the prisoners appeared to be in good health; in the beginning of every month, I reported I had so done to the committee.

Do not the instructions, although they prescribe the examination only on the 1st of every month, state that the general care of the medical management was under the medical superintendent?—With the permission of the Committee, I will read the first three or four Rules of my instructions, which will put the Committee in possession of my duties. First, "The principal medical superintendent shall have the superintendence of the medical department of the institution; he shall visit the patients in the infirmaries every Monday and Friday, accompanied by the surgeon; in all difficult and dangerous cases, he shall attend at least daily, or oftener, as the urgency of the case may require." Rule the third says, "On the first Monday in every month, or oftener, he shall, in conjunction with the surgeon, inspect every part of the prison, for the purpose of ascertaining that it is kept clean, and see that the prisoners are in a healthy state; and in the event of complaint from the prisoners respecting the quality of the food, he shall be informed thereof by the governor, and shall, in conjunction with the surgeon, report the same to the visitors." Now, as to the surgeon's instructions in Rule 3, it is stated, "he shall keep a journal for each infirmary of the receipts and issues; he shall frequently visit every part of the prison, and inspect the quality of the provisions delivered out to the prisoners; he shall pay immediate attention to any prisoner who may seem to be out of health, and shall supply such prisoners with medicine in the prison, or order him or her to be removed to the infirmary at his discretion." So that it will appear, that the prison is under the care of the surgeon during the interval of the monthly inspections, that the medical superintendent is confined to the infirmaries.

Are not all the duties of the surgeon exercised generally under the superintendence of the medical superintendent?—When he is there, it is presumed the surgeon follows his directions.

Did not you, in the letter of the 10th of January, state, "unless, indeed, some very unexpected indisposition were to arise among the prisoners in the mean while, of which I should give due notice to the committee, or the visitor for the time being?" had not the committee reason to suppose, that you would give them the earliest information of any disease among the prisoners, in the prison or in the infirmary?—Yes; they had, certainly; and so I did.

Do not those words imply an engagement, on your part, to keep an eye upon the prison, as well as the infirmary?—Yes; but this disease did not show itself first in the prison; but under my immediate care, in the infirmary.

After reading these words, do you still continue to think, that the infirmary was under you, and the prison under the surgeon?—My answer to that question is this; that I certainly never considered the prison as under my immediate care, but that I was always at my duty, and ready to visit any part of the prison, that the surgeon or the committee might call my attention to.

How many prisoners were discovered to have the scurvy, on the day that you and Doctors Latham and Roget made your examination?—I cannot exactly recollect; about half had appearances.

Do you believe that all those arose within the last month?—It is impossible for me to answer that question.

Is not there reason to suppose, from that discovery, that the matter might have lurked

lurked in the prison without having been observed, for several months?—I should wish to speak from facts; and as I cannot answer that question decidedly, I hope the Committee will excuse my replying more fully to it.

Dr. Hutchison.

(May 26.)

In the letter written by you to the committee of the Penitentiary, and now before this Committee, you state, you expressed a wish when you first proposed the dietary, on the 22d of March 1822, for a consultation to be held; the Committee wish to know to what that passage alludes?—It alludes to the extreme difficulty I found in answering so important a question as that of making any great change in the dietary of the prisoners; and that I was anxious the committee should not take any step upon a recommendation of my own, without the concurrence of men of science.

The question was, when that wish was expressed, and to whom?—To the committee.

Verbally, or in writing?—In a letter.

You go on to say, that request was denied; the Committee want to know, how that appears?—It was not complied with to my knowledge; those gentlemen were not called in, for their opinion.

Is that letter all you refer to, when you say you expressed a wish for a consultation?—The consultation referred to the change of dietary.

When you say, you expressed a wish for a consultation, do you refer to any other expression except that which is found in the letter of the 22d of March?—No other.

In your recommendation in that letter, that broth should be made as now made, or with ox-cheeks, was any quantity of ox-cheek ever stated?—Certainly not.

Did you converse with Mr. Morton Pitt, upon the subject of the dietary, before its adoption in May last?—Before my letter, I had several conversations with him on the subject; whether I had subsequent to that period, I cannot tell; but antecedent to that period, a year or two, I had several conversations with him upon the subject.

Can you state, whether Mr. Pitt ever showed you the dietary, as now established, before it was adopted?—I cannot answer that; I believe, on recollection, the first time I saw it was in the printed books of rules sent me by the secretary.

You stated, you conceived the prisoners at large within the Penitentiary, to be under the inspection of the surgeon, and that your duties were confined to the infirmary?—I meant to say, that excepting my monthly inspections, I considered the prisoners in the prison under the care of the surgeon, under his particular management; and that the infirmary patients were more particularly under my care; but if the surgeon found it necessary to consult me as to the state of health of any prisoner in the prison, I should have felt it my duty to attend.

And upon going round the prison, even although the surgeon should not have called your attention to it, if you had observed any symptoms of disorder among any prisoners not in the infirmary, should you not have felt it your duty to report it to the committee, or would you have waited till they came into the infirmary?—I should have ordered them into the infirmary immediately.

Did you keep any journal or diary of your visits?—I did not; I was not required by my instructions to do so.

Did the surgeon?—Yes, he did, as to his own duties.

Had you any personal communication with the committee on the subject of the dietary?—I had, but how often I cannot say; I believe the last time was in January.

How often does the committee meet?—At various times; during the sitting of Parliament, weekly; at other times not so often.

When was the first dietary established?—On the 4th of July.

How soon did you perceive any change in the prisoners?—I cannot say I saw any visible change until the females became sickly, after Christmas.

Not till six months after?—Certainly not.

Did you see the food yourself?—Yes, I did.

The broths and the bread?—Yes.

And tasted it?—Yes.

What was your opinion of it?—My opinion was, that the bread was extremely good, and that the broth tasted very well, but whether the taste arose from the vegetable matter contained in it, I cannot say.

Was it good wholesome broth?—Yes, it was.

How soon did any prisoners make any complaint to you of the food?—The first day after the reduction of the food took place, when I went among them.

Dr. Hutchison.

(May 26.)

Did they complain of the quantity or quality?—Of the quality; they wished to have meat.

Did they complain of the quality of the bread and the soup, or broth?—The brown bread had been established for some time; there was a considerable cabal among the prisoners at the time it was changed from white to brown.

Was that antecedent to July?—Yes.

The question went to the period subsequent to July; did they complain of the quality of the bread or broth, or the quantity?—Of the quality, and the deficiency of animal food.

In consequence of that you tasted it yourself?—Yes.

And you were of opinion it was good wholesome broth?—Yes, it tasted so.

You had no communication personally with the committee upon the subject?—I had in January; I might earlier.

Why did not you prefer a personal communication rather than by letter?—Because I wished to put my statements on record; if the committee had chosen to have sent for me, I was ready to have gone, and I have gone repeatedly and have sent my name in; some days I was seen and some not.

Did you keep any private memorandum of the cases?—Sometimes I did, for my own satisfaction; if I took upon myself to order a convict down stairs, or any thing of that kind, I took a note of it.

As you proposed, in March 1822, a scheme of diet materially greater, as it appears, than that which the visiting committee ultimately adopted, is this Committee to understand, that you ever abandoned the opinion you first formed, and that you at last fell into the scheme of diet proposed by the visiting committee?—I never fell into any scheme which the visiting committee recommended or adopted; I never swerved from the recommendation in my letter.

Did you, in point of fact, think at any time that the food finally approved by the visiting committee, was adequate to the due nourishment of prisoners?—It was an experiment; it was difficult to say why they chose to adopt it; it did not become me to make any objection to that which they had adopted, having already given in my proposal of a scheme.

Were you convinced that the food so allowed was adequate; yes or no?—I am now convinced, and was in February convinced, it was not adequate as to the animal food.

But you wished to give it a fair trial, nevertheless?—Yes, in consequence of it being the wish of the committee.

Was that your reason for abstaining from complaints of the inadequacy of the diet?—Entirely.

Out of a proper feeling for the committee, you abstained from making any complaints of the inadequacy of the diet?—It was so; it was of no use my complaining; I gave in my scheme of diet to the committee, they did not choose to act upon it; they adopted a scheme of their own, and I apprehend, it would not have been proper for me to have flown in their faces; I therefore did not consider it to be my duty to make any representation to the committee on the subject of the dietary, until I saw the health of the prisoners impaired by the scheme they had adopted.

When the prisoners complained, did you consider that the experiment had not had a fair trial?—They would complain, as anybody would, if complaining would give them more food, without its arising from any necessity as to nutriment; I mean to say, that the prisoners would complain though there was no absolute necessity, in order to procure more food.

From the foregoing observations the Committee gather this result, that you abstained in fact from complaining of the insufficiency of food until the progress of the scurvy, in February, left no doubt in your mind that this insufficiency was the main cause of disease?—Certainly, exactly so.

Having, in the letter of the 22d March 1822, introduced this recommendation of the dietary with these words; "Considering then all those circumstances, without adverting to others that might be urged, I am disposed to give it as my opinion, that the dietary for the Penitentiary should stand thus;" and having in a subsequent part of that same letter, said that you considered this question as very difficult of accurate solution, and the committee having adopted the different dietary, do you think that the circumstance of their having adopted a different dietary from that which you introduced with these doubtful words, was a reason why you should not have complained to them of the insufficiency of the dietary they had adopted, if you thought it insufficient?—In answer to the first part of the question, I gave an opinion that

that was an opinion of my own; I did not state positively what would be right, but I gave my opinion that such and such a dietary might be such as would preserve the health of the prisoners; and as I was not aware on what opinion or opinions the committee acted in fixing the dietary, I considered it would have been misplaced, any observations coming from me to the committee, until I saw a necessity for it.

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In the quantity of ox cheek put in the soup, should you consider the committee as having acted contrary to your opinion?—I gave no opinion upon the subject; I never knew the weight of animal matter an ox cheek contained, nor do I believe any of the committee knew; I am not aware that they did, until towards the end of February, finding the scurvy beginning to increase, and that will be found in my letter dated the 28th of February, that I made such inquiry; but the cook of pentagons 1 and 2, whom I had consulted with regard to the quantity of nutriment contained in each ox head, misled me, by giving me the weight of two in the place of one, which mistake was not discovered until my letter of that date had gone in to the committee; I stated there that eighteen pounds was the weight of the heaviest, and fourteen pounds the weight of the lightest, the medium therefore would be sixteen; I believe the committee are aware how I was led into that error by the cook.

At what time was that error corrected?—It has never been corrected; it appeared by that letter of mine that the prisoners were allowed more than it turned out they had.

In what manner was that inquiry conducted?—I went into the kitchen, and had a conversation with the cook of that pentagon; the resident surgeon and I asked him the quantity of animal matter in the largest ox head, and the quantity in the smallest; and his answer was as I have stated.

Is that weight of animal matter the weight of raw meat; or in what way was the inquiry conducted?—He weighed the head previous to going into the copper to boil; then he deducted the weight of the bones, and the difference gave the quantity of animal matter.

When did he weigh the bones?—After the broth had been made; and it is quite clear, that deducting the weight of the bones, the remainder will give the weight of animal matter.

Gruel is very often alluded to in these schemes; of what consistency is that gruel?—Thinner than porridge; about the thickness of what is called skiligalee on board ship.

Are they allowed any thing to eat with it?—Bread.

No milk, or beer, or any thing?—No.

Are they allowed sugar or salt?—Salt; no sugar.

You say, the surgeon was present at the time the cook gave you this information, as to the quantity of animal matter given into the soup, and that the mistake was made; did the surgeon make the mistake as well as yourself?—He did not make the calculation; I went in for my own information, and he accompanied me; it was very important I should know the quantity of nutriment they had, as the scurvy was making its appearance; and the information I obtained I have stated to the committee.

Do you believe the difference between the weight of the ox head, after it was in the water and before, gives the weight of animal matter mixed up with the soup?—Pretty nearly; it is calculated that raw meat loses a certain quantity; that is to say, that a certain quantity of meat put into water to boil, so much goes into the liquor, and so much remains behind in the boiled meat.

Is there no loss of animal matter by evaporation, or the process of boiling?—Very little by evaporation; it is merely the aqueous particles that escape.

Are there no brains in an ox head?—I should suppose so.

Are there not parts in an ox head that melt away in the soup?—As to the brains, if I was correctly informed in the information I received as to the weight, previously to going in and after coming out, it must have taken in the brains.

You have stated, that all the cases of scurvy that appeared in the first instance, appeared in the infirmary?—Yes, the two first.

Only the two first?—Yes; the other three occurred in the prison, I believe.

Were the other three admitted into the infirmary as cases of scurvy, or some other complaint?—I believe there were three seized with the disease, but I cannot charge my memory; I can positively speak to two.

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Your impression is, that two or three of those five came into the infirmary with the complaint of scurvy at the time of admission?—Two or three.

How many of the five cases were admitted into the infirmary, with decided scorbutic complaints?—Two or three, and that only three or four days previous to my announcing the disease.

You have stated you first discovered the scorbutic tendency in a person of the name of Jones?—Yes.

On an examination of his leg?—Yes.

Was the surgeon present at the time of this examination?—He was.

He asked you the nature of the complaint?—Not then, but several days afterwards.

Have you any reason to believe, that the surgeon so present was also aware of it?—No; I know that he was not aware of it; I do not think he ever saw it before.

You think it was his duty to detect scurvy in the Penitentiary, if any existed?—Yes, if there were any marks of it; if there were any spots upon the leg, he ought to have named it to me, and I could have detected it immediately.

What was the health of the prisoners previous to the change of dietary in July last?—Very good; not better in any situation in England.

You have been principal medical officer to the establishment for some years?—For nearly seven years.

Can you state to the Committee, what was the general health of the establishment during the winter periods of the whole of those seven years?—I cannot, at present, do that, nor have I any memorandum of it; I can state, that the deaths have been few in comparison with the number of convicts, and comparing it with other communities of persons in the kingdom; and I can state, that in the year 1821 there were eighteen deaths occurred during the whole year in about 650 convicts, and that in 1822 there were twenty-two deaths out of an average of 740, so that upon the whole the prison has enjoyed a very high degree of health up to last February.

The Committee then understand, that not only taking the account as to those years, but also as to the others, that the prisoners enjoyed good health during the winter of every year since you have been on that establishment?—Yes.

Was there, at any time, appearances of any disease similar to the scurvy breaking out amongst the prisoners?—Not to my knowledge.

The Committee allude to the whole of those years?—Not to my knowledge.

There was no disease you could trace to inferior and bad diet?—Not to my knowledge.

And in February it was, or January, that you first observed the scurvy to make its appearance?—About the 11th, 12th, or 13th of January.

You have stated, in one of your letters, that the disease had, from your situation on board ship, fallen much under your observation?—Yes.

Is it a disease that breaks out simultaneously amongst a number of persons that are assembled together in one ship, or in one place?—Sometimes, and sometimes not.

But when you have been aboard ship, and seen that disease to any extent, what have you attributed it to?—To deficiency of nutriment, to mental dejection, and to insufficiency of exercise, or active bodily exertion; because it is observed that this disease seldom attacks the thorough-bred seaman, its ravages being confined chiefly to those whose duties are less active, such as what are called landsmen, and waisters, who have had a sudden change of circumstances and of diet.

But the result of your observation, generally speaking, is that where it prevails to any extent on board ship, its leading cause is deficiency of proper nutriment?—Yes, its leading cause; but the other two moral causes might possibly make up a strong predisposition to it.

Should you then think, taking it for granted there was sufficient nutriment, that the moral causes, such as you have named, and the want of sufficient exercise, would alone create the disease?—Yes.

The moral causes have at all times existed the same in the Penitentiary?—They have.

And the want of exercise has been nearly the same from the beginning?—The moral causes have not always been the same, because the reduction of the diet tended to depress their spirits still more than when their situation was otherwise, as regards this point.

Those

Those moral causes had been aggravated by the physical cause of the deficiency of food?—Yes.

Does this disease ever arise amongst a few individuals, situated under circumstances as you have described, and then those individuals not affecting the remainder?—Very frequently; it is very common; it was the case in Cold Bath Fields this last winter, there were five or six cases only, and the same number in Norwich Castle.

Are you aware that there, the moment they saw the disease, they changed the diet?—I am not aware of that; I am aware that they used lemon juice.

Have you ever observed, that any sudden transition from one species of diet to another has made an alteration in the health of the person subjected to it?—It is a very common remark, particularly as it relates to the change of dietary, for instance, from salt provisions to fresh meat and vegetables, almost uniformly ship's companies, after being four or five months upon salt provisions, upon coming into port and receiving fresh provisions, diarrhœa goes through the whole crew.

Did you communicate to the committee, in any discussion you had with them upon the subject of the dietary, the important observation you have just communicated to this Committee?—No, I did not.

Were they not always very willing to receive from you observations upon subjects so important as that you have just stated?—It had no reference to the disease then existing; all my duties were superseded at the time the disease was discovered.

The question had reference to the change of food?—I did not now state that the change from a high diet to low would produce that effect, but from a salt meat diet to fresh meat and vegetables; that does not apply to the Penitentiary at all; there is an increase of food given to the convicts now, which may, I think, be part of the cause of keeping up the diarrhœa that now prevails there.

Were not the committee at all times ready, nay, eager, to receive information from you upon any subject connected with the management of their establishment?—With regard to answering the question, since the appointment of Drs. Roget and Latham, they have uniformly sent for those gentlemen, and communicated with them; and not with me on any occasion.

Prior to the appointment of Drs. Roget and Latham, when this new dietary was established, or during the six years antecedent to the new dietary, were not the committee always ready to listen to and receive any information you could give them upon the state of the prison?—Yes, and I was quite as ready to communicate any thing that occurred to me for the benefit of the institution.

You have stated, that you were led to make these remarks, in respect to the change of dietary, by the fact of the diarrhœa continuing in the Penitentiary; is the Committee to understand, that it is not impossible that the alteration from a low diet to a better and fuller diet, may in fact be one of the causes of the continuance of that complaint?—Yes, now, because I understand the diarrhœa prevails to a greater extent than it has done, and that the quantity of fresh animal food they have has been greatly increased.

In your mind is there any physical connection between the increased quantity of animal food and the progress of the complaint of diarrhœa?—I should not say that the animal food has brought on this disease to injure them materially; it is not like the scurvy, it is a very different complaint; I mean to say, there is a probability of this diarrhœa being such a diarrhœa as I have seen attack a ship's company, when placed upon fresh provisions after a long continuance upon a salted diet.

Then your observation is confined to the diarrhœa, one of the characteristic marks of scurvy, but any other diarrhœa which may attack a prisoner who did not suffer under the effects of scurvy?—Just so.

You say, there is a possibility of it; is it so, do you think?—Yes, there is an instance of it now; it may be, possibly, from the circumstance of the sudden transition from very low diet to very high diet; it is merely conjecture.

You think it probable?—Yes.

Do you think it likely, that scurvy should arise from wet and damp apartments, or having wet damp beds?—It is certainly one cause of scurvy; but the scorbutic convicts in the Penitentiary cannot be said to have been exposed to that.

You have said, the committee sent for Drs. Roget and Latham, and not for you; do you know when they have seen them, that it has been because their names have

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been given in as being in attendance, and not from their sending for them?—I have seen a messenger from the committee, stating they were wanted; and that messenger did not come for me.

Do you not know, that those gentlemen's names had been given in as being in attendance?—They were there every day.

Were they there every day when the committee met?—Yes, they were.

Do you mean to say, they have been there every day as early as one o'clock?—No; I beg to correct that answer, in that respect.

Do you know, that when those gentlemen were sent for, their names had not been previously given in?—It is impossible for me to answer that question; I never heard of their sending their names in, and I have been constantly with them almost; they may have done so, on some occasions, but not to my knowledge.

You say, you knew the surgeon's ignorance of the sea scurvy; had you any reason then for not communicating to him the nature of the disorder?—I did not use the term ignorance; I said, his want of knowledge.

Had you any reason for not communicating to him the nature of the disorder?—I was very unwilling to find fault with what the committee thought right to adopt; I knew if I had given him an idea of it, the officers would have heard of it, and the rumour would have got abroad every where.

Did you communicate it to any other person?—No, I did not; it was only a few days.

Martis, 27^e die Maii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

PAPERS.

(May 27.)

THE following Papers were delivered in, and read:—

“ Copy of a letter from A. Copland Hutchison, medical superintendent,
to Mr. Pratt, surgeon to the Penitentiary.

“ Dear Sir,

Leicester-square, 7th December 1822.

“ FOR the more correct management of the details of the medical department of the Penitentiary, I will thank you to furnish me with a list every Monday morning, when I visit the Institution, of the patients names who are prescribed wine, porter, or any other necessary article not mentioned in the scheme of dietary, with the quantity daily consumed by each; also, that you will furnish me with a statement of the total expenditure of the aforesaid articles every quarter, namely, on the 1st January, 1st April, 1st July, 1st October, with your receipts and remains of the same.

“ I am, dear sir, your very obedient servant,

“*A. Copland Hutchison, medical superintendent.*”

“ Copy of a letter from A. Copland Hutchison, medical superintendent,
to J. Couch, esq. governor of the Penitentiary.

“ Dear Sir,

Leicester-square, 18th December 1822.

“ ON visiting the prison, with the view of ascertaining the degree of heat afforded by the flues, I was sensibly struck with the coldness of division B. in pentagon six; the thermometer not rising higher than 46.

“ I think it proper to mention this to you officially, that measures may be adopted as speedily as possible to remedy the defect.

“ I am, dear sir, your obedient servant,

“*A. Copland Hutchison.*”

“ Copy of a letter from A. Copland Hutchison, medical superintendent,
to Mrs. Wilkinson, the matron of the Penitentiary.

“ Madam,

20th December 1822.

“ AFTER the repeated notice taken by me of the injurious consequences likely to result to the health of the prisoners, from the practice of washing the floors of their apartments, or passages, late in the afternoon, and after an order of the committee
against

against this practice in the pentagons, I confess that I was not a little displeased to find the passages, in the female infirmary, quite wet, at nearly seven o'clock of the evening of the 17th instant, when I visited two patients in that department who were dangerously ill. I have therefore to request that you will be pleased to give directions that this may not occur again, otherwise I shall be under the necessity of laying a complaint before the committee.

"I am, madam, your obedient servant,
"A. Copland Hutchison."

"Copy of a letter from A. Copland Hutchison, medical superintendent,
 to J. Couch, esq. governor of the Penitentiary.

"Dear Sir, Spring Gardens, 22d January 1823.

"I was exceedingly grieved to day, to find that the temperature of the cells and passages of the different pentagons is by much too low to preserve that degree of health among the prisoners which is so much to be desired, particularly in pentagon six.

"I have therefore to request, that you will be pleased to take immediate steps to have the heat of the different pentagons increased as much as possible, during this inclement season, that the situation of the prisoners may be rendered more comfortable than at present; and until this measure can be effected by the proper persons, I should suggest to you, the propriety of desiring the windows of both cells and passages to be kept closely shut at all times, and as the passages generally appear to be warmer than the cells, perhaps the doors of the latter being kept open would more equalize the temperature of both.

"Be pleased to communicate the contents of this letter to the visitor; and to the matron, as far as relates to her department.

"I am, dear sir, your obedient servant,
 (signed) *"A. Copland Hutchison."*

Extract from the governor of the Penitentiary's journal.

"1821: December 19th.—I received the following from Dr. Hutchison, which I immediately communicated to Mr. Humphries, the clerk of the works.

"On visiting the prison, with the view of ascertaining the degree of heat afforded by the flues, I was sensibly struck with the coldness of division B. in pentagon N° 6, the thermometer not rising higher than 46.

"I think it proper to mention this to you officially, that measures may be adopted as speedily as possible to remedy the defect."

"20th.—Mr. Humphries is taking steps to remedy the coldness of ward B. pentagon, N° 6."

"1823: January 23.—Received a letter this afternoon from Dr. Hutchison, saying, that the temperature of the cells and passages of the different pentagons is by much too low to preserve that degree of health among the prisoners which is so much to be desired, more particularly in pentagon N° 6.

"Went into pentagon N° 6, with William Mellish, esq. visitor, after locking up, and tried the temperature both in the passages and cells, and considered them to be as warm as could be expected this severe weather.

"Ordered, that the taskmasters will let the cell and passage windows be kept closely shut as much as possible, and will order good fires to be kept in the furnaces during this severe weather."

"Extract from Minutes of the Superintending Committee of the General Penitentiary,
 held the 25th January 1823.

"The officers journals read.

"It appearing from the governor's, that the medical superintendent had addressed a letter to him, recommending a greater degree of heat to be communicated throughout the pentagons, during the present intense cold, and Mr. Tapster being in attendance, he was requested to examine into the means of doing so, along with the visitor, Mr. Mellish."

PAPERS.

(May 27.)

Alexander C. Hutchison, M. D. called in ; and further Examined.

Dr. Hutchison.

(May 27.)

IN your letter, dated the 22d March 1822, addressed to the committee of the Penitentiary, you recommend that the dietary for the Penitentiary should stand thus; the daily allowance of bread to be precisely what it now is; gruel the same, night and morning, warm; one quart of broth to the males, as now made, or with ox-cheeks; the same quantity to the females employed in the wash-house and laundry; the other females, one pint and a half, during six days in the week: what quantity of meat would have been in the quart of broth that the males would have had under that dietary?—Between three and four ounces of raw meat.

What quantity of meat would have been in the pint and half the females would have had under that dietary?—A fraction less.

How much should you suppose less?—I should suppose a quarter.

Eight ounces of meat, the same as heretofore, on Sundays, with one pound of boiled potatoes, omitting broth on this day altogether, for every description of prisoner; do you mean eight ounces of raw meat?—I should turn that into raw meat, and call it twelve ounces.

The Committee then understand, that you mean by eight ounces of meat, that they should have eight ounces of meat after dressing?—Yes, and without bone.

Would not that quantity be as much, or more than they had before?—No, it would not.

What then was the difference?—The difference was, that it would be but two-thirds of the old diet; it is precisely two-thirds.

Then it is one-third less by this plan than by the original dietary?—Yes.

In the old dietary, were not thirty-six ounces of meat given to each individual during the week?—Yes.

What then is the difference between you, as to the quantum, you giving thirty-six ounces also?—No, it will be found that there is a difference; the broth given to the prisoners on the Monday, according to my scheme, was the produce of twelve ounces from the Sunday's meat.

Then the whole difference is, the difference of four ounces of undressed meat?—About that.

Then the change in the dietary you recommended, thinking the dietary too great, was a reduction of four ounces per week?—Yes, and more, to each individual.

How do you reconcile giving a statement, that broth would be made of four ounces of undressed meat, with the expression, "broth as now made?"—The broth I wished them to have, according to my scheme, should be of the same strength as they had according to the original scheme; and there, perhaps, a little of the present difficulty may be discovered, by calculating what was the strength of the old broth; I have stated it to be the produce of between three and four ounces of raw meat.

The Committee wish to know how you make out, that the broth made with four ounces of undressed meat, will be equivalent to the broth resulting from six ounces a day of dressed meat?—I should say that the broth, according to the old scheme, contained fully three ounces of juice, because six ounces of clods and stickings boiled, may be supposed to be nine ounces raw; therefore you had but three ounces of animal food in a quart of broth allowed to each male, according to the old scheme.

If the meat were to be boiled for broth, and thrown away, would you not suppose the meat to be more boiled, than if boiled merely for food?—In that case, the meat would be boiled down entirely, as in the last scheme; there would be no waste at all; the very fibres would be in the broth.

Would four ounces of meat be necessary for the broth daily?—Yes, it would, nearly; I think the reduction will be found more than I mentioned.

Supposing them to have used ox-cheeks, what portion of ox-check was to be put in?—In the proportion of three ounces to each quart.

What do you mean by the words, "eight ounces of meat, as heretofore?"—That is, the clods and stickings, after being boiled, without bone.

Those words had no relation to the quantity, but the quality?—Both; the quantity is mentioned, after being boiled, without bone; that did not exclude the quality of the meat.

It does not mean, that the prisoners had eight ounces before?—By no means.

The Committee have now got the old dietary and your dietary; the next question is, under the dietary which was established in July last, what was the amount of meat which

which each individual had per week, beginning with the males, and then state of the females?—Very nearly nine ounces for the males, and a trifle less for the females.

The whole of it given in broth, not in solid?—Precisely so.

Did you ever taste the soup, to see whether you thought it was as good as it ought to be?—I believe I answered that question yesterday, that I had tasted it, and it tasted very well to me. I beg that answer not to apply as to a sufficiency of animal matter.

Do you think, if you had suggested to the committee, that it ought to be stronger, there would have been the least objection to making it so?—It is quite impossible for me to say what might have been the wishes of the committee; I had given in my scheme of diet, and the committee had not acted upon it.

Did you not give the dietary in as a doubtful dietary, and as one concerning which other persons were to be consulted, and which might be liable to improvement and alteration?—It was given in merely as an experiment, and my letter will show that.

The difference then between the old plan of dietary and the plan recommended by you and the new plan, was the difference between each individual receiving nine ounces of meat, in the course of the week, or thirty-six?—About eight-and-twenty, I believe.

You would deduct the Monday's meat?—Yes.

Under the old plan, it was thirty-six ounces each week; under your plan, it was thirty-two ounces for each individual; and under the new plan, little more than nine ounces. Is not that correct?—There is a miscalculation there; I have stated, that my broth should be of precisely the same strength as that which they had by the original dietary.

You have stated, distinctly, four ounces of crude meat for each individual, for five days in the week; then you propose twelve ounces of raw crude meat, which is reduced to eight; that is thirty-two ounces of solid meat to be given to each individual per week?—It is very true, but on the Monday there are four ounces; and they have only three ounces the other five days.

The Committee are talking of undressed meat?—So am I.

Can you say, that the committee willingly departed from your dietary on six days of the week?—I cannot say, whether they did so willingly, or not.

You have stated, that your reason for not complaining of the weakness of the soup was, that the committee had adopted another dietary; the Committee wish to know, after all that has passed, as to the difficulty of stating what the precise quantity of meat you found was, whether the committee knowingly departed from your dietary, except on the Sunday's dinner?—I only know, that I was perfectly unacquainted with the quantity of animal matter contained in the soup that the convicts were getting, according to the new diet, till I made my inquiry of the cook, in February last.

Were you acquainted with the quantity of animal matter you meant to be in your own dietary, if ox-cheek were used?—Yes.

What number of ox cheeks were to be used in the soup?—I should have weighed the meat from the ox cheeks, and put in the same proportion of meat from the ox cheeks to make the soup as I should have done of the clods or stickings, according to the old scheme.

The question is not, what you would have done, but what you have stated to the committee, as a direction for them to do?—My recommendation was, that the broth, whatever it was made of, according to my scheme, should be of the same strength as to animal matter.

How do you know that the committee did not conceive that the scheme they adopted was not of that strength?—I cannot answer the question, what the committee conceived.

When did you make the inquiry, as to the quantity of meat that was used?—In February last, after the scurvy made its appearance; I mentioned it in my letter of the 28th February, already in evidence.

How long before that had you ascertained it?—Two or three days.

When you wrote your letter on the 10th of January 1823, wherein you state the diseases that were then existing in the Penitentiary, when you had the case of scurvy which you have already named, brought to your attention, you added, "but if I were asked on my oath, whether I considered this circumstance as likely to have arisen from the change of dietary, my answer should be in the negative;" had you made yourself then acquainted with the dietary, as used in the establishment?—

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The first case of scurvy that occurred, occurred subsequent to that letter; it was on the 12th of January I saw that case, and my letter is dated the 10th.

When you gave it as your opinion, on the 10th of January 1823, that if you were asked upon your oath, whether you considered the illness to be occasioned by the change of dietary, had you made yourself acquainted with the change that had taken place in the dietary?—The illness alluded to in that letter was confined to the females; the common colds and coughs of common life, and not occasioned by diet.

But still that does not answer the question; the question is, whether, when you gave it as your opinion, that you could not say that the change of dietary had any effect upon any illness, you had inquired what in fact the dietary did consist of?—Yes, I had; I knew that it consisted of broth made from ox heads.

Then how do you reconcile that with the preceding answer, that it was only in February you learned the quantity of animal food that was used in the soup?—The first answer I meant to apply to the total abolition of solid animal food, substituting broth entirely for the convicts, instead of giving them solid food.

Did you know in January, when you wrote that letter, that the quantity of animal matter, in each person's mess, was reduced from thirty odd ounces of meat to nine?—It was impossible for me to have ascertained precisely the reduction, because I had not then known the weight of animal matter in the broth.

Did you inquire, prior to writing that letter, of the cook, what was the quantity of meat used?—No, I did not.

Would you, after all that has passed, now revert to the dietary which you gave in?—I should be induced to give them more.

Would you increase the total amount, or only in particular cases?—The total amount.

Will you state what you consider to be a sufficient diet, for a person at liberty, of bread and other food, to keep him in health?—It is very difficult to answer that question precisely, because much will depend upon his previous habits; an Irishman will live, and be fat and hearty, upon potatoes; an Englishman, who has been accustomed to eat from his infancy certain quantities of animal food, could not live upon potatoes without incurring disease.

Suppose a person to have lived upon animal food, what do you then consider a sufficient quantity of animal food actually necessary to keep that person in health, supposing him not to be in prison?—Still I think that a very difficult question to answer; he will require less than a person confined in a prison.

What would you give to a soldier for instance, as a sufficient quantity of food for his support, absolutely necessary to keep him in health?—I should suppose about three ounces of animal food, and a couple of pounds of bread a day, with vegetables; I am merely offering this as a rough guess.

Suppose that same individual soldier to be committed to prison, would you say there was any necessity for an increase of food to that individual?—I cannot well answer that question.

You before stated, that you considered a difference was necessary to be made in the diet of the person confined in gaol, and the one at liberty; the Committee now put the question to you of an individual soldier at liberty; you had stated the diet necessary for his maintenance at liberty; the Committee now ask you, whether any difference is necessary to be made, supposing him to be committed to prison?—I am not prepared to answer that question.

Supposing an individual to have lived as an Irish man or woman does, upon a potatoe diet, or any other diet, having no animal food or having animal food very seldom, suppose that individual to be committed to prison, do you conceive it necessary for his or her health, that a change of diet should be made of the animal food then given?—No, I might not.

How then do you reconcile that with the answer you before gave, that it is necessary that an additional quantity of animal food should be given to the persons confined in prison, beyond that which they had been in the habit of having before they were committed?—I forget the question that led to that answer.

The Committee understand from you, that supposing a person sent from the country, a labourer who has been in the habit of having animal food once a week, or probably lived upon no animal food, but on bread and vegetables, you do not think it necessary for the health of that person, confined in the Penitentiary here, to receive in it animal food?—I should think he will be less likely to suffer from disease

disease than a man who had been living upon animal food; I should say he would require it less than a person who had been accustomed to it.

In the cases that have occurred of disease in the Penitentiary, has it affected persons who had been sent from the country to the Penitentiary?—I believe it has.

There were a few cases of scurvy that took place before the inquiry was instituted; were those persons sent from the country, or persons committed for offences in London?—I have not ascertained whether they were country thieves or town thieves.

Has it, in point of fact, affected the persons sent from the country as much as those who had committed offences in London?—I am not prepared to answer that.

Supposing that to have been the fact, would you have ascribed it to the alteration of the diet, or any other cause?—I should ascribe it to the operation of the diet still, and the want of proper air and exercise.

But supposing the diet to have been of a higher quality to the individual sent from the country, than that individual had been in the habit of living upon when at liberty, do you think that the cause of the disease, in that individual, was the low quality of the diet?—In that case, I should suppose not.

Then to what would you ascribe it?—To the want of exercise, the severe cold weather, the mental depression, confinement, and all the moral causes inseparable from their situation.

The dysenteric affection has been mentioned by Dr. Roget in his evidence, as being a symptom of scurvy, which, as it appears, has been the chief source of mortality among the convicts; will you inform the Committee at what period those symptoms of the scurvy mentioned by that gentleman did actually appear among the convicts?—After my having announced the disease to the committee on the 8th February.

You are sure of that?—Quite sure of it.

After you had announced the disease to the visiting committee?—Yes.

Then it appears also, by the evidence of one of the physicians, that the number in their Report amounted to 448 cases; can you give the Committee any information on this subject?—I presume the number they have stated to have referred to every individual who showed the smallest spot upon the leg; they were not under medical treatment; they were in the prison, not in the infirmary; there were not in the infirmary, I believe, more than 100, or 110, or 120, under medical treatment, of any species of disease.

Then out of the 448 cases, 328 were in different parts of the prison?—Yes; not in the infirmary.

And you saw spots and various blotches upon them, by which you perceived they had the sea scurvy?—Yes, I did.

It is stated also, in the physician's evidence, that the persons employed in the kitchens were almost entirely free from scurvy; is that, in your opinion, solely owing to the increase of diet they had, or more exercise, or to both?—To both.

And warmth?—That is another favourable cause.

When did the first death occur from the scurvy, which had been attributed to the insufficiency of animal nutriment and want of exercise?—On or about the 13th or 14th of February 1823.

Can you recollect the day when the two physicians were first called in?—The 1st of March.

Was the disease then far advanced in the Penitentiary?—No, it was not, although there were a great number affected; but the disease had not attained any considerable height as to violence.

Had the committee ever intimated an intention to call in further assistance before the Resolution of the 28th of February?—Never.

Was that the day before those physicians, Drs. Roget and Latham, attended?—It was the night before.

Were you informed who were the gentlemen selected; and if you were so informed, at what time of the day or evening was it?—Not till the next day, when I went to pay my visit at the Penitentiary, when I found a note at the porter's lodge for me, from Mr. Courtenay, stating, that Drs. Roget and Latham would be there at two o'clock; it was then two o'clock; and they had then preceded me.

Did the physicians fix any time themselves to meet you, and communicate with you upon the subject?—I had not spoken to them, nor did I know who were appointed, till I found them there.

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Did you at all times up to the date of your removal, communicate freely with the surgeon, matron, governor, and all the officers connected with your professional duties in the establishment?—I did.

Without any reservation whatever?—Yes.

Determined to do your duty throughout?—Precisely so.

Do you happen to have heard that there existed the scurvy in Norwich gaol?—I do.

Do you know the treatment resorted to for its cure in that establishment?—I do.

Were oranges likewise used for the purpose of cure in that gaol?—The surgeon of the gaol has written me, and I saw his assistant; he called upon me this morning, and is now in the room; he informed me, he cured the disease by citric acid in conjunction with vegetables.

In the surgeon's Report on the death of Mary Brenton, there is a remark made by you, on the impropriety of removing prisoners too soon, when they have been admitted into the infirmary; this is followed by a remark from the surgeon; were you ever made acquainted with the fact, that this remark had been made by the surgeon to the visiting committee?—I never knew of the remark made upon my Report, till I saw this printed paper.

Were you ever directed to remark upon all the surgeon's reports of deaths?—I was.

Did you fulfil those directions in all cases?—I did.

You have said, that you were not informed of the appointment of those two gentlemen, the physicians, till the 1st of March?—They went to the institution on the 1st of March, and I was apprized the previous evening at nine or ten o'clock, that further assistance had been resolved upon.

Did not you state, that Mr. Courtenay's letter reached you on coming to the lodge?—A note telling me *who were* appointed.

Do you happen to know when they were appointed?—By the Resolution of the Committee of the 28th, which I got at ten o'clock at night; they were appointed, I presume, that day.

That Resolution states, that two persons are to be appointed, but does not state the fact that they are appointed; do you happen to know of the two gentlemen named on that day, one declined the appointment, and one of them therefore, was not named till the next day?—No, I do not.*

* Thinking this question to apply only to the two appointed, I answered as I did; but supposing now, on reading the question over, that it may have applied to a third person, I have been since informed by Dr. Maton that he had declined the appointment.

Is it your opinion that scurvy may be cured by the administration of ripe oranges to such persons as may be afflicted, supposing the quantity of animal food and vegetables not to be increased?—Certainly not.

Do you believe that the administration of ripe oranges, supposing the animal and vegetable food to be increased, is a mode of cure likely to succeed?—It would be very tardy, indeed.

Is it your opinion, that lemon or lime juice would be more expeditious?—Certainly.

Why do you think so?—From the experience I have had of the efficacy of that remedy in the navy.

Have you ever been in situations where ripe oranges as well as lemons could be used, and you used the first, and found them not to succeed, and adopted the second, and found that they did?—I cannot say I had done so, because I have never resorted to a minor remedy, when I had the command of a better.

When you were in the situation described, did you use lemons instead of oranges?—Yes, I used lemons.

Is it that lemons contain a greater quantity of the citric acid?—Certainly.

Supposing that oranges were used in the spring of the year, when they were less ripe, would they contain a greater quantity of citric acid than when they were ripe?—I should think they would contain some; I doubt whether the ripe oranges contain any, or very little.

Have you ever seen much of this disease?—I have.

In what places?—In South America and North America, in Newfoundland, in the Baltic, in the West Indies, and on the coasts of England and Ireland.

Had you ever seen it on land, before it affected the convicts in the Penitentiary?—No, only in naval hospitals; though I have been surgeon for seven years to a large dispensary, I have never seen an instance of it.

You have never seen an instance of the disease you denominate sea scurvy, except on board of ship and in naval hospitals?—No; excepting in the Penitentiary.

It must be a disease brought in by seamen, from on board ships?—I have seen it

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it break out in naval hospitals, in persons confined to their beds, with no appetite, and very much emaciated.

You have stated, you considered one of the causes of the disease in the Penitentiary, was the want of air and exercise?—I did.

Beginning with air, what objection have you to the present system, and what remedy would you propose?—With regard to the air, I make the remark I am now about to do, in consequence of the appearance of this disease in the Penitentiary; and as to its prevention in future, I should say,—that the more open the place is where the prisoners are allowed to walk, the better the air will be, and the better for the health of the prisoners; I should with that view not only allow them to be out longer in the yards, but I should recommend the taking down those partition walls which separate the yards of the prison from each other, as tending to obstruct the free circulation of air, which I deem so essential for the health of the convicts; as to the prison itself, I must say, I see no objection with regard to the airiness of it, or the circulation that is preserved in the interior; but I am speaking of the open air.

Have you ever observed in any of the courts of exercise, there is a greater degree of moss in some courts than in others?—Yes, I have; that I believe arises from the circumstance of one being made before the other.

Taking any given pentagon, whether it has been constructed some years or recently, have you ever observed that in any of the courts of exercise there is a greater degree of moss in one division than the other?—I cannot say I have, but I think a great deal will depend upon the bottom on which it grows.

Do you think, that supposing the statement which has been presumed in the question be true, that the opening of the communication between the courts, by letting in a freer circulation of air, would tend to diminish the growth of that vegetable matter?—It is impossible for me to answer that question decidedly, but I should suppose so.

What alterations do you consider to be necessary for the free circulation of the air in the yard?—Speaking of those pentagons, they cannot be altered; but I conceive there will be no difficulty in removing the walls and putting iron stanchions down, and the separation would thereby be still preserved.

The outward wall remaining the same, what dimensions do you think would be necessary to give adequate circulation of air, for the health of the prisoners taking exercise in the yard?—I should answer that by saying it should be made as extensive as possible.

What do you consider sufficient for the purpose?—It is very difficult to answer that question.

What is the height of the walls, are they solid walls; are there no iron railings?—No; excepting at the small end, and the walls are solid.

What is the height?—About eight or ten feet.

Much above a tall man's head?—Yes.

What is the area within those walls?—Four times the size of this room.

Then the people walk in a sort of large well; the air cannot blow through it; the air must blow over their heads; it must be their own air they are inhaling?—In some measure.

What number walk in those courts in the day?—About twenty-five at a time.

Are they continually going?—No; a certain time of the day.

What is the state of the atmosphere in this yard during the summer months?—That depends upon the aspect.

Take the north and south aspects?—The temperature would be regulated by the size of the building, and the sun being kept a good deal away from it, by the number of pentagons there are there.

Are you of opinion they are so confined, that the prisoners inhale the air that is contaminated by themselves?—In some measure so; I have only turned my attention to this since the appearance of the scurvy, and I think that may be one of the causes of the disease.

Have you at any time been in those yards and found the air at all offensive?—No, I cannot say I have; I take snuff, and I am not so susceptible of the change of air.

Have you ever heard any body complain of the state of the air?—No, I have not.

You say, twenty-five walk at a time; how many twenty-fives walk in the yard in a day?—It is the same twenty-five.

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Each yard might have more than twenty-five to walk in it?—I believe so.

Each pentagon has a yard to itself?—There are four or five yards; every side has a yard.

How many does each pentagon contain?—They are not all full; about 200, I suppose, in the female pentagons.

Therefore the yard would not receive more than fifty people during the day?—They are out but for a short period in the day.

Do they each have their turn?—They walk at the same time.

You think the whole complement of the pentagon is out at the same time, in the five yards that belong to each pentagon?—Pretty much so, I believe.

How long does that continue?—That differs very much in summer and winter.

Does it differ in rainy weather or fine weather?—In rainy weather they walk in the passages within the building.

Weavers may have the muscular exertion of walking?—Yes, for a certain time; there is no rule for walking exercise in the yard at all in the winter.

Do you mean they do not walk in the winter at all?—They work at the pump; but there is no rule for walking in the winter; the second class are allowed a portion of time for walking in the winter, because they do not go to the pump or the mill.

What do you consider the winter; is it from Michaelmas to Lady-day?—Yes, I should suppose so, from September to Lady-day I believe, or from October; the first class have no exercise, except going across the yard to the pump and the mill; there is no rule I can discover for them during this period.

If there had been a rule you must have found it?—I do not know that, it is accompanied with so much difficulty; I have read those rules over and over again, and I cannot well make out the quantity of exercise.

Is it not notified by a bell?—It is so.

When the bell rings they each leave their cell?—Yes.

When the bell rings again they return?—The bell rings and they go to dinner, after that they go and take a walk.

You cannot make out, after all your experience, from hearing those bells ringing, and their going to dinner, you cannot make out what the daily quantum of exercise which they each command in prison?—Yes, I can pretty nearly, though I do not reside there.

Then state what the exercise was they had in winter and summer?—From Lady-day to Michaelmas, the females were allowed one hour for dinner and exercise.

For both purposes?—Yes, this is from Lady-day to Michaelmas; dinner is distributed to the prisoners at one o'clock; and an hour is allowed for dinner, air and exercise.

Then the Committee are to understand, only one hour is given in the winter months for dinner, air and exercise?—I am speaking of the summer now; then afterwards it says, at seven o'clock an hour to be allowed for air and exercise in the courts; I presume that to be in addition, but I am doubtful.

Cannot you understand whether they had an additional hour or not?—I suppose it is an additional quantity of exercise.

What is the exercise in winter?—That is for the females.

What is the exercise for the males in the summer?—From Ladyday to Michaelmas, they are allowed one hour for dinner, air and exercise, for the second class.

They are not the pump and mill class?—No.

Have they anything beyond that in summer?—Between Ladyday and the fifth of September, the prisoners are allowed one hour for exercise in the yard, upon ringing the tenth bell.

Then the males and females have both the same quantity of time given them for dinner, air and exercise, of the second class throughout the summer?—I think it will appear so from the rules.

Do you know whether those rules were observed up to the time of your leaving the prison?—I believe they were; for one of the members of this Committee took a great deal of interest in it, and saw that they were observed.

Do you know whether any more air and exercise was allowed to the prisoners before you left the prison?—I had no official notice of it; I intimated to the committee, that it would be better for them if they had.

Do you happen to know, not from official information, they had more than the exercise stated there?—I recollect now, in consequence of my information, that ten minutes, or a quarter of an hour, was allowed to the first class, instead of five minutes.

Do

Do you believe any alteration has been made in the quantity of air and exercise, since the fourth of October, the date of your Report?—I have no knowledge of the fact, either officially or otherwise.

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The Committee understand you to have said, in consequence of your representation of the fourth of October, some alteration was made in the second class?—In the winter months, it does not appear they had any air or exercise; and when they complained to me they had but five minutes, I represented it to the committee, and possibly on that recommendation the committee might have then increased the time.

In point of fact, had the men more walking, air and exercise, after the fourth of October, than they had before?—I cannot say whether they had, or had not, except from the conversation I may have had on the subject; I recollect that one of the members of this Committee stated to me, that he had had some conversation with Doctors Roget and Latham, as to a remark of mine on the fourth of October, but what the purport of it was, I do not now recollect.

Was the conversation to this effect; that you had mistaken the fact, or that the prisoners had misrepresented it to you, for that there was never a time when they were not allowed more time?—I believe it was to that effect.

You have stated, the first class work at the mill; that the second class do not work at the mill, but had two hours divided; one hour for dinner and exercise, and one hour solely for exercise; in point of practice, how much of that one hour was taken up in the meal?—I cannot say; perhaps half an hour; perhaps more.

Are the Committee, then, to understand, that, in your opinion, not less than half that was taken up in the meal; so that that hour given them for the meal and exercise, was half an hour for the meal, and half an hour for the exercise?—About that.

How long, during the last winter, were the persons of the second class prevented by the weather, at any one period, going out into the yard?—I cannot say.

In your observations upon the state of the disease, which partly you attribute to the want of exercise, did it not occur to you to notice how long those persons were prevented from taking any exercise at all?—At the time those circumstances were passing, I did make inquiry; but they have slipped my memory.

How long should you think, in a month or any given period, elapsed when the prisoners were not able to go into the yard?—Every day, during the frost, they could go out, and did go out; but, in very wet weather, they merely walked in the passages.

How many days in the months of December, January, and February, were the second class of prisoners out in the yard; were they out twice a week for air and exercise?—I should say, almost every day they were out.

During the winter?—Yes.

In snow, as well as rain?—There was a footway made by the turnkeys clearing the snow away, and they did walk round, but not during rainy weather.

Nearly every day in the week, then, the second class of prisoners enjoyed two hours exercise?—Yes, I should suppose nearly that.

Do you think that one hour's exercise is sufficient?—No, I do not.

Then in what way would you propose to amend it?—By the convicts going out more frequently in the day.

What do you mean by more frequently?—Three times in the day; three-quarters of an hour each time.

Would you propose, in the winter, that the convicts should go out three-quarters of an hour at three different periods of the day?—Not in the winter; I should say, half an hour in the winter.

At what period would be the first?—Between breakfast and dinner, and the others between that and bed-time.

It is dark at four o'clock?—Then say, twice; divide between the time they get up and dinner-time, and once afterwards.

Do you think, that that walking round and round, as horses do in a mill, is sufficient exercise for a strong grown-up man, or a strong healthy woman?—No, I do not.

Have you any other mode of exercise you would think fit to recommend?—In addition to walking, (which by the way, I should say, should be a trot; not walking, as they do,) I should recommend the use of more mills and pumps, or what I think better, a tread-mill, which is capital exercise for persons in their situation.

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In a word, the Committee are to understand, that you think the exercise that has been used in the prison is generally too little; and that you recommend, that the prisoners should be more actively employed?—I do.

If in walking, the walking should be more of a trot than at present, and a greater length of time given them to than they have at present; or that some means should be carried into execution, either by a stepping-mill, or a mill of another description, to give additional exercise to the frame?—Yes; the stepping-mill would combine every sort of exercise essential for the health of the prisoners; such as the invention in Cold Bath Fields and at Brixton.

Has it ever occurred to you, during the last seven years you have been in this situation, that the prisoners had too little exercise?—It has.

Did you make any statement to the committee to that effect?—I did, by writing, and verbally, both.

How long ago?—I cannot particularly say, but during the last two or three years; but more particularly since this disease made its appearance.

Do you think that a person (a young man, for instance) that was sent to the Penitentiary at the age of eighteen, under a ten years sentence, and who probably would be discharged at a period short of that service, (say six, when he would be twenty-four years of age,) would be able to obtain his livelihood by hard labour, in the same way as he would have been had he been used in the Penitentiary to exercise, somewhat similar as he would have had if he had been free?—I should say, no; certainly not; and that is without considering the diet.

Then the Committee are to understand, that persons discharged out of the Penitentiary, at the end of their term of service, would not be in the same state of health as if they had been husbandmen, or manufacturers employed in trades?—Certainly, I think so.

Do you think that any young man in the situation, such as has been described, having been subject to confinement for that period of years in the Penitentiary, is as fit for any labour, be it manufacturing, or be it husbandman's labour, as he would have been had he not been so confined?—No, he would not.

Supposing that person to have been six years in the Penitentiary, and during that period had been employed at the tread-mill, would he, in that case, come out of the Penitentiary with as much physical power for labour as any other person who had not been there?—He would come out in a much better state than under the existing circumstances.

Would he be equal to hard labour?—He would.

Would he come out more fit for labour than the weaver of sail-cloth in a manufactory?—I should think he would, certainly.

Do you think a person employed in the cotton manufactory from a very early age, if he left the cotton manufactory, would be afterwards able to earn his living as a day labourer?—Not so well able as the work at the tread mill would enable him to be.

Do you consider that the description of the scurvy that appeared in the Penitentiary was infectious?—I do not.

Why then were you so anxious to conceal the existence of the disease in the prison, from the knowledge of the neighbourhood?—Because I knew it was not the wish of the committee, that any noise should be made concerning the situation of the convicts in the prison at any time, the people in Lower Westminster being very ready to find fault with that institution at all times.

Why did you not explain the nature of the disease to the surgeon?—I thought I had assigned my reason in yesterday's evidence; my answer was, that I knew very well, that, if I had named the disease to him, that it was very likely to have been so spread round the neighbourhood.

When the physician went round on the first of March, and found four hundred and forty-eight cases scattered through the prison, some in the infirmary, and some in their cells, infected with different diseases, do you think that many of those persons had had the marks of scurvy upon their legs any considerable length of time?—I had no reason to believe that the marks were upon the legs of the prisoners until about the period I noticed the first case.

Had you any reason for believing they were not there?—I had; because I think, if they had been, my attention would have been called to the circumstance; the prisoners are always most ready to complain of the slightest thing that may be the matter with them.

Do

Do you think, if a prisoner saw one of those spots upon his leg, he would have immediately mentioned the circumstance to you, or Mr. Pratt?—I should think the chances are, that he would.

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It is from that you draw the conclusion, that there were no spots upon the legs of the prisoners, otherwise they would have communicated it to you?—Yes.

Do you think the spots upon the legs of many of the prisoners, at the time of that examination, were such as would have led any person unacquainted with scurvy, to believe that that disease existed?—At that time, very likely it might; but not with a person who had been unaccustomed to the disease, so much as with one who was well acquainted with it.

If those spots were not such as to excite apprehension of disease in an ordinary person, how was it likely that the prisoners should have pointed them out?—They might have pointed them out, not knowing what they were; those gentlemen saw the disease after I had announced its existence nearly a month, during which time it was gaining upon the prisoners.

Were not the spots, in some instances, so small as to be almost imperceptible to the human eye?—Yes; therefore, I say, it was almost at the immediate origin of the disease.

Was lemon juice used in the infirmary during any part of the time you continued medical superintendent?—It was.

Was it so used after Doctors Roget and Latham were called in?—It was, but not in the prison, and not in all cases in the infirmary.

Was the success of it, as far as it was used, such as to induce a continuance of it, in your opinion?—I did not see any instance in which any bad effects arose from its use.

Do you think that the Penitentiary is sufficiently warmed?—I think not.

Are all the pentagons warmed alike?—No, they are not.

Is any one pentagon, in your opinion, sufficiently warm?—During the severe weather, I did not think any of them were sufficiently warmed, for I took notice of the temperature of the different passages and cells during the severe frost; and I wrote two letters to the governor, which are now before the Committee.

Is your attention now directed to the upper cells, not warmed at all, or to the lower cells, where the second class work, and the first sleep?—Yes, to both.

The upper story is not warmed at all?—I am aware of that.

Do you consider the want of sufficient warmth to have at all contributed to the complaint?—I think it might in a small degree.

In the Penitentiary; what were the parts of the Penitentiary, except the upper gallery, least warm?—I found most complaints made of pentagon 6, division B.

Did the sickness prevail most in that division?—I cannot at this moment charge my memory, to give an answer to that question.

Are the stoves employed in the different pentagons, so constructed as to give by a greater application of fuel more heat; can they be warmed to a greater degree by the stoves at present existing?—I think the stoves in Nos. 1 and 2 give more heat than is given by the plan in the other pentagons.

Can the other stoves be heated to a greater heat than they have been accustomed to be?—They were heated to their maximum in the winter, when I complained, and they were not warm enough,

Do you know whether any parts of the stoves were out of order during the winter, and whether the brickwork is now mended?—I was not so informed.

Is it done by steam or hot air?—Both.

Is that heat necessary in consequence of the situation of the prison?—I cannot say that there can be much attributed to the situation of the prison, in regard to its locality.

Is it your opinion, that heat is necessary to be introduced into all prisons?—I should think so.

Do you think that it contributes to the health of the prisoners, that heated air should be introduced into the sleeping cells?—It may not be so necessary in regard to their sleeping cells, very few people have fires in their bed-rooms; it would not be so necessary as where they are to work or be in the day-time, their work being of a very sedentary nature, not being such as to produce an increase of animal heat.

Do you know whether there are not a great many weavers in the Penitentiary?—There are.

What is the date of the rules you have been speaking from?—One is dated in 1820, and the other 1822.

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Has there been any material alteration in those rules in chief?—Not to my knowledge, I have not been furnished with any alteration.

Supposing the situation to be one sheltered, and at the same time dry and sufficiently airy for the health of the prisoners; in that case do you conceive it to have been absolutely necessary, that heat should be introduced by means of fire or steam?—Yes, I do; but not in their sleeping cells.

Supposing in their day rooms they had fire, and free access to the yard for exercise, but no fire in their sleeping cells, should you not consider that that would be a system, more calculated to promote health, than if warmth was introduced into their sleeping cells by means of steam or heated air?—I do.

How many hours are the prisoners confined to their beds in the winter?—They go to bed at dark in the winter, and get up at daylight; they were between 14 and 15 hours, 14 generally in bed; and then they are sitting as tailors with their legs across all day, and the shoemakers sit cramped a number of hours; so that on those grounds I thought prisoners of that description required more exercise than they enjoyed.

Do they not occasionally come out to school?—I suppose they do.

Do they not at times come to the doors of their cells, to have the scriptures read to them?—Yes, they do; but that gives a very small additional proportion of exercise.

Are the tailors obliged to work?—Yes, if they are in health.

If their health was injured, they might on your representation, or that of the surgeon, be taken to the infirmary?—Yes.

Then they are exempt from work?—Yes.

How would he get into the infirmary?—The individual tells the turnkey, and the turnkey informs the surgeon, and he goes immediately.

And then he is directed accordingly?—Yes.

And that he is never refused, if the surgeon thinks he is not shamming?—No, never.

Suppose one of those tailors, or shoemakers, or weavers, were stubborn and would not work, what is the punishment adopted on those occasions?—If they will not work, with the excuse that they are not well, they are taken to the infirmary; if they are well, the governor is applied to, and he puts them in solitary confinement, or on bread and water, till the visitor comes, or the committee meet, and then they do with them as they think proper.

Is there any black-hole confinement?—There is.

How long have you ever known a prisoner, from the state of his hardened mind, remain in such a place?—Two or three weeks; may be more in some instances.

A dark cell?—Yes.

What space have they there?—A pretty good size.

About nine feet square?—About nine by seven.

Have you known them three weeks at a time in this place?—Yes.

On what floor?—Boarded floor.

On the upper or lower story?—The lower.

Did it fall under your remark, that any prisoner who had been subjected to this confinement, was more subjected to this complaint than any others in the Penitentiary?—I should think, the diet being bread and water, and being without exercise, they would be more subject to that disease; but I am not aware that any person was confined for that period, during the last winter.

Were the persons in that situation daily visited by the surgeon?—Always; and frequently by myself.

If that was the case, and you visited him yourself, you would know who the most hardened description of people were, and therefore if they had been visited by this disease, you would have known the person under those circumstances?—I visited them in the dark cell; we had a lantern, but the face was not well seen.

Did the surgeon merely feel his pulse, or his skin, or ask him any question?—If they had been ill they would not have been there; they were only asked if they were in good health; if they were they remained there; if they complained they were instantly removed to the infirmary.

Did you ever know of an instance of any prisoner's mind being affected by his confinement in a dark cell?—No; not as to any insanity.

How long have you known any prisoner confined in a dark cell without being admitted to light?—They occasionally see light; the turnkeys take their provisions to them morning, mid-day, and evening.

How

How long have you ever known a person confined in a perfectly dark cell in the Penitentiary?—Three weeks.

Was it a man or woman?—Both.

Were their minds at all affected by the length of the time they were confined?—Sometimes, a little; they did not feel very well for a few days after they came out; but it was the rule of the institution for those patients who were suffering solitary confinement, to be taken to the infirmary after they came out, till their health was established, particularly the females.

Have you ever known any prisoner kept in those dark cells till his health was so impaired that it was necessary to take him into the infirmary?—It was done as a general rule; they may have complained of head-ache, from crying, or coming suddenly into the light, after being confined in darkness, those were the chief things.

The Committee understand you to say, it was as a matter of precaution, that prisoners were removed into the infirmary, after they came out of the dark cells?—Yes, chiefly.

Do you mean that that was done generally?—Not if they had been confined only a short time, but if they had been confined a week or any longer time, they were taken into the infirmary.

Did you ever represent to the Committee, or any other person, the impropriety of keeping them a long time in dark cells?—I did not; as their health did not appear much impaired.

Had that description of punishment a salutary effect upon them?—That is a difficult thing for me to answer; sometimes they have been sent back there three or four times.

Was it a difficult thing to get a prisoner there, supposing he or she was determined to resist?—No; there have been only two or three instances of prisoners making any violent exertion to prevent being removed there.

Have you generally been present when prisoners have been removed to dark cells?—I have been frequently there, and I have been informed by the governor of it.

What was the diet of the prisoner confined?—That depended upon the nature of his crime, and it rested with the governor or the committee to fix it, when they passed the sentence of confinement upon him.

In the instance of a person confined three weeks, do you recollect what the diet was?—Low diet.

What is that?—Bread and water.

What is the bedding?—It is very comfortable, it is raised from the boarded floor, there is a board and mattress.

The usual bedding?—Yes.

If a prisoner was committed to this solitary confinement for refusing to go to work, would he not be removed back immediately upon expressing a willingness to undertake the work?—He would.

You say it is on the lower floor?—There are two kinds of dark cells, one in the upper story for females, and for males they are below.

That for the males is warmed?—It is not.

The upper one is not warmed at all?—It is warm enough, except in the middle of winter.

Are the dark cells warmed at all?—I believe not, but the cold air is excluded so as to prevent any inconvenience.

Sir Gilbert Blane, Bart. M. D. called in; and further Examined.

SINCE the Committee had the pleasure of seeing you the other day, have you visited the Penitentiary?—I have.

What was the state in which you found it as to health?—I found the sea scurvy prevailing to a great degree.

When did you visit it?—On Saturday.

Was it the sea scurvy in an aggravated form?—No, in a slight form.

But pervading a great number of persons?—A very large proportion of them, a good third part of them, with no ambiguity about it, perfectly marked.

Did you examine all the different pentagons?—I really do not know, the place is so intricate, I cannot say, I inspected about thirty males and females.

Were they in the hospitals or in the cells?—In the cells.

Dr. Hutchison.

(May 27.)

*Sir G. Blane,
Bart.*

Sir G. Blane,
Bart.

(May 27.)

Were they in the cells now devoted to hospital purposes, or in the cells inhabited by ordinary persons?—They were those in the general cells.

Owing to the excess of sickness, the hospitals not being large enough to hold the sick, they are obliged to use a portion of the cells in the nature of an hospital; the question was, whether the thirty persons were among the healthy prisoners, or among the sick?—Among the healthy class; I did not understand that any one of them was under medical treatment.

Of those thirty persons, whom you did not understand were under medical treatment, what was the state of their health?—Their general health was good; their only complaint was a distant characteristic of sea scurvy, namely, a peculiarly rough appearance of the skin, with small brown spots like flea-bites, and some degree of swelling and a hardness of the muscles; a hard feeling, and some degree of inflammation about the ancles, and about one half of them had sore gums.

From your observation and knowledge of the complaint, can those symptoms exist without the person labouring under them showing any other appearance of bad health?—There is no degree of suffering that deserves the name of pain; there is very great anguish, rather than pain, from depression of spirits, and sometimes shortness of breath.

More known by medical persons under the term “malaise” than pain?—Yes, and a degree of lassitude.

Did you direct your attention to what you would consider to be the cause of that complaint you found so prevalent?—I did.

Be so good as to state to the Committee your opinion?—I have not the least hesitation in saying it was from deficiency of nourishment; there were other causes of a secondary nature, but they are not to be compared to the fundamental cause.

What were those secondary causes?—Mental depression, such as from long captivity and want of air and exercise; those were the two secondary causes.

Did you endeavour to learn what was the nature of the exercise?—Yes, I did, in the course of conversation; it was partly exercise by machinery and walking in the air.

Did they show you the mill at which one class of the prisoners are accustomed to work?—No, I did not see the mill.

The general conclusion you have drawn, the Committee understand is, that the want of sufficient air and exercise, and mental depression, were two of the secondary causes of the disease?—Yes.

But that the main cause was deficiency of nourishment?—Yes; and I was not qualified to judge of that, except from the inspection of the table of diet.

If that table of diet had been shown to you, prior to being adopted, should you have anticipated any of the consequences that have been the result?—I should, and should have loudly condemned it.

You are taking into your consideration the length of time to which the persons are sentenced to whom that diet is given?—The length of time is a material thing in the consideration.

If that diet had been given for a shorter period, say three months, to any person recently committed to the Penitentiary, should you have thought that that diet would have been injurious to that person's health in that period?—Not in that short period, certainly not.

How soon, taking any constitution as a given one, would you suppose that that deficiency of diet would show itself in the health of that person?—It is a question entirely relative to the constitution.

Take an average constitution?—Perhaps from one to two years, before any effect can arise from it; but there is as much variety in constitutions as in countenances; in cases of ships of war, a whole fleet may become so in a month, or it may be *seriatim*, according to the nature of the constitution; in general it is extremely gradual, according to the constitution.

Are you aware how long this dietary was in operation before the disease broke out?—I learnt it had been in operation from July.

The disease first broke out in January last; do you think that the period of time that elapsed between July and January sufficient, with the other pre-disposing causes you have named, to have brought the disease upon the prisoners in the Penitentiary?—I think, considering the previous habits of the patients, and connecting those habits with the length of confinement, it was; the diet, I think, was too low; and I will say now, that the medical superintendent was quite wrong in saying that the former diet was too high; I have been conversant for forty years with prisoners
of

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of war and others, and I know of no diet so low as what they call their over diet; there is the diet given to prisoners of war, and to convicts on their voyage to Botany Bay, upon which I was consulted by the Secretary of State; but so low a diet I never saw; I cannot but think that the medical superintendent was quite wrong in saying there was an excess of diet in the month of March.

Are you aware, that in a great variety of prisons in the kingdom, a lower diet is in use than the first diet which was in practice in the Penitentiary?—No, I am not; I have, from curiosity, gone over Cold Bath Fields Prison, and I think there the diet was much better than in the Penitentiary.

Should you say generally, that supposing a person was to be subjected to a long term of imprisonment, varying from two years to ten, that the diet, such as you have described, namely, the first dietary, would not be sufficient to keep them in health?—I should be afraid, even under that diet, there would be very great risk of it breaking out.

Under the first diet, you are of opinion, that if a prisoner was confined for a long course of years, there would be injury to his health?—Yes.

Under the last diet, you would have no doubt that injury would be received?—Certainly, in the same period.

Then the Committee again understand from you, that had that dietary been shown to you, you would have considered it as insufficient, and likely to produced a variety of diseases in any establishment that adopted it?—Yes, I should.

Do you mean that the diet was specifically one calculated to produce scurvy or various diseases, including scurvy in the number?—I go intirely upon the quantity of animal matter; I think there might have been better in quality also.

In your observations upon the sea scurvy, do you attribute its prevalance in the navy, where you have seen it in existence, to the deficiency of nourishment generally?—Yes, some say the salt diet; but I think it is the deficiency of the diet.

Have you ever seen the scurvy on shore?—Yes.

Of the same nature?—Yes, exactly; the first time I ever saw the scurvy, was in the garrison at Gibraltar.

Were you able to trace the cause of that disease to bad subsistence?—Exactly so; deficiency of subsistence, owing to the long protracted siege.

Whenever you have on shore seen that disease you denominated sea scurvy, you have been able to trace it to deficiency of nourishment?—I have, except in a very few cases that occurred in private families; I have practised forty years in London, and never saw more than six cases of sea scurvy; one was from bad food at sea, and the others from the predisposition of the individual constitution.

Having seen the disease, such as you have described in the Penitentiary, was your attention drawn to the treatment of it?—Certainly; I inquired into that.

Without, of course, asking any opinion from you, as to the practice you saw there, will you be so good as to state to the Committee, if your experience generally in this disease, has enabled you to point out any particular remedy you would consider almost in the nature of a specific?—I will answer to that in as few words as I can; formerly, the navy of this country was brought to the brink of ruin, by sea scurvy, and a specific remedy was first found out in the end of Queen Elizabeth's reign; but it never got into notoriety, nor drew as much attention as to be a great resource, I believe, till the year 1795 or 1797. In the course of that century, the college of physicians were applied to, to recommend a remedy for the sea scurvy, in the year 1730 and 1740; and again between 1750 and 1760; and in neither case did they recommend lemon juice for the sea scurvy, so obscure was the knowledge of it. In the year 1753, a very eminent physician, Doctor Addington, the father of a very eminent statesman, wrote a small tract upon the sea scurvy, in which it appears he had not the least knowledge of this specific for it; so slow is the progress of practical knowledge upon any subject; and in order to give the Committee in a few words, a knowledge of the comparative state of the scurvy in ships at sea, I will mention two instances in history; Lord Anson sailed from England with 400 men; when he arrived at Juan Fernandes, a good number of his men died from scurvy, and all the rest were inefficient, except eight men, and had they remained out much longer they must have been driven to sea, and on arriving at the last place from which he sailed, he was 143 days at sea; in the year 1794, I was consulted by the late Lord Gardner, who was going to India, and I ordered a large quantity of lemon juice to serve his whole fleet; Lord Cornwallis came home; peace took place; and in consequence of that, Captain Rainier went out with one ship of the line;—then the question was, what was to be done with the lemon juice; they gave it out to the men, who used it to make punch the whole voyage; the consequence of that

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was, that in the voyage to India, which lasted 162 days, nineteen days longer than Lord Anson, when they arrived in Madras Roads, there was not a man ill of the scurvy; there were only 15 on the sick list, and only one ill enough to keep his hammock.

From your observation of the character of the disease, was it such as induced you to think it was an old disease on the decline, or whether it was in its full force, or whether any new cases had exhibited themselves?—It was evidently a disease on the decline.

No new cases?—No.

You examined thirty only?—Yes.

Then how can you state that one-third of the prisoners were affected?—I took them as a specimen of the whole.

Did you take them indiscriminately, or were they brought to you as persons affected?—When I went round I desired them to point out to me those that had been longest in confinement, or most affected.

And out of those you took indiscriminately about thirty?—Yes, and about two-thirds of these were found affected.

Mercurii, 28^o die Maii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Thomas Grimston Estcourt, Esq. a Member of the House; Examined.

T. G. Estcourt,
Esq.

(May 28.)

HAVE you any account of the dietary now in use in the prison at Devizes?—I have.

Be so good as to give it in.

[*The same was delivered in, and read, as follows:*]

“DEVIZES NEW PRISON DIETARY.

Each Prisoner, per diem :

- 1 $\frac{3}{4}$ of a pound of the best wheaten bread.
- 1 pint of oatmeal gruel, with salt
- 1 pound of potatoes.

“On Wednesdays and Fridays, in lieu of potatoes, 1 pint of vegetable soup.”

Do you happen to know how long this dietary has been in use?—I believe since the summer of 1821.

Have you any idea of the number of persons committed to the house of correction at Devizes during that period?—I have not.

Do you know any thing of the state of health and sickness during that period?—I have not visited the prison, as a visiting magistrate, during that period frequently; but I have had frequent conversations with the visiting magistrates, and with the governor, from which I learn the state of health has been extremely good; and I have received letters within these few days from the governor, in which he says, that the state of health at the present moment is very good, and that there has been no case of scurvy; I put that question to him.

Are persons confined there for long periods?—From the shortest period up to two years.

Are the cases of two years numerous?—Considerable; there are many cases of that kind.

Can you give the Committee any notion of the rate they bear to those of six months?—No, I cannot.

Have you any paper that may be considered as illustrative of the condition of the prisoners, when they entered the prison, and their state when they left it?—I have a copy of a page or pages from the Weight-book of the prison, showing what the weight of the prisoners contained in that document was when they were received into the prison, and what it was when they left the prison; and I understand that page was taken promiscuously, without any particular reference to any particular prisoner.

Be

Be so good as to state the result?—From the observation I have given to this paper, it appears to me almost all the prisoners have increased in weight during their imprisonment.

*T. G. Estcourt,
Esq.*

Does it state the length and term of each prisoner's imprisonment?—Yes it does.

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Be so good as to hand it in.

[*The witness delivered in the same, which was read, as follows:*]

NEW PRISON, DEVIZES:—Extract from the Weight-book.

Prisoners Names.	Term of Imprisonment.	Weight in.	Weight out.
Philip Cooksey - - -	6 calendar months - -	159	166
Isaac Perkins - - -	4 - - d° - - -	145	152
James England - - -	3 - - d° - - -	160	160
Alexander Brooks - - -	3 - - d° - - -	115	115
James Davies - - -	5 - - d° - - -	142	153
John Turner - - -	3 - - d° - - -	133	137
William Moore - - -	6 weeks - - -	154	155
Henry Flower - - -	1 calendar month - -	77	77
George Bevan - - -	14 days - - -	116	116
John Jones - - -	d° - - -	136	138
William Jeffries - - -	1 month - - -	131	133
Henry Wort - - -	d° - - -	121	122
James Barrett - - -	3 calendar months - -	156	160
John Stager - - -	6 weeks - - -	87	88
Henry Miller - - -	6 calendar months - -	129	126
John Mintey - - -	d° - - -	130	135
James Smith - - -	d° - - -	127	132
Thomas Hought - - -	3 - - d° - - -	154	165
George Lawrence - - -	2 - - d° - - -	121	125
John Titford - - -	3 - - d° - - -	110	115
John Carpenter - - -	d° - - -	149	149
John Colton - - -	d° - - -	124	134
John Andrews - - -	6 weeks - - -	87	87
Edward New - - -	3 months - - -	155	159
George Hunt - - -	2 - d° - - -	130	130
James Pierce - - -	d° - - -	142	142
John Golding - - -	1 - d° - - -	141	145
Thomas Page - - -	6 weeks - - -	75	79
James Pike - - -	d° - - -	93	95
William Frampton - - -	1 month - - -	71	76
Thomas Buy - - -	d° - - -	62	68
James Morris - - -	14 days - - -	117	118
James Avens - - -	3 calendar months - -	105	111
Francis Butcher - - -	d° - - -	148	133
William Roper - - -	d° - - -	158	162
Caroline Lug - - -	2 months - - -	100	100
John Legg - - -	3 - d° - - -	149	156
Jeffrey Dowse - - -	d° - - -	148	153

Edm^d Cocks, Governor.

Sir Gilbert Blane, Baronet, M. D. again called in; and further Examined.

IN your examination of yesterday, you stated, you had seen thirty persons in the Penitentiary, whom you had examined; you stated, that two-thirds of those thirty persons were suffering under the disease that had been so long prevalent in the establishment?—Yes.

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Bart.*

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Do you know whether those thirty persons were under medical treatment?—No medical treatment.

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Bart.

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Then the Committee understand from you, that those two-thirds of thirty persons ought, in fact, to be added to the list already given in of persons affected with disease?—I do think so.

And of course, that the disease with which they were slightly affected, had escaped the observation of the medical practitioners?—They all said, they had been at the worst about six weeks ago; they were in a gradual state of recovery.

Then they may be considered as being convalescent?—Certainly.

Not new cases of disease that had been overlooked, but convalescent?—Yes.

You stated yesterday, that, according to the experience of your long practice, the citric acid may be considered almost a specific?—Not almost, but a certain one; the surest remedy of any kind in any disease whatever. I speak from the experience of three-and-forty years, and in consequence of being a member of the Navy Medical Board; I have examined hundreds of medical journals, and only found two cases where the disease had resisted lemon juice.

Do you happen to know, whether the lemon juice has been much used in the Penitentiary?—I did not go closely into the practice; I heard it had been used to a small extent, but that oranges were thought to be best.

What is your opinion as to the use of oranges; do you think them as good a specific as the one you have just mentioned?—Certainly not. I would just state what I conceive distinguishes lime juice from all others; it consists in this, that it will cure the disease, while the person labouring under it continues in the same situation in which he contracted the disease; and we know very well that oranges have been tried, and they have not answered, therefore they are not a specific.

Then you consider oranges more in the light of vegetables, than as any medical specific for the disease?—Yes, the disease will give way more expeditiously by the use of that and other fruits; but the cure exclusively belongs to the lemon juice.

Have you any chemical analysis; can you give the quantity of citric acid to be drawn from lemons or oranges?—I never heard there was any in ripe oranges; but I go from experience, which is much better than any analysis.

When those oranges were first given, they were not ripe, it was in the month of March; does a sour orange contain some citric acid?—Yes, they may, certainly; there is nothing better ascertained, than that lemon juice is a real specific, and oranges, not. Lemon juice will cure it under the continuance of the sea diet, or under the same circumstances which created the disease.

Does your opinion go this length, that, supposing the dietary even had not been changed, that the scurvy would have been cured by the use of citric acid?—Most assuredly; I have not the smallest doubt of it.

Whatever other disease might have accrued, the specific disease of the scurvy would have been got rid of?—Yes, I have not the shadow of a doubt of it; I know too well the uncertainty of medicine, but I have not the least doubt of the efficacy of citric acid in this case.

The Committee have heard that a good deal of benefit has been derived from the oxygen contained in oranges and lemons, is it the oxygen or the citric acid you look to?—The citric acid as it exists in nature, I wish to show the Committee that I do not speak lightly of the effect of lemon juice, for I think this country has been saved by it; in proof of that, I will hand in some tables.

[The witness handed in the following papers:]

“ DIET of CONVICTS on their passage to Botany Bay, in the Glatton, from 23d Sept. 1802, to the 12th March 1803, at the weekly allowance of Messes of six men each.

Bread.	Flour.	Beef.	Pork.	Butter.	Peas.	Rice.	Suet.	Raisins.
20 lbs.	12 lbs.	16 lbs.	6 lbs.	1 $\frac{1}{2}$ lb.	12 pints	2 lbs.	1 $\frac{1}{2}$ lbs.	3 lbs.

“ There were 269 males, 133 females, besides 31 women and children.

“ The allowance for the women the same as for men, with the exception of 3lb. of muscovado sugar, and a pound of black tea per week, for each mess of six women.

“ Neither fever, flux, nor scurvy, appeared on the passage; only five males and two females died in the passage, all of chronic complaints.”

“ The

“ The following is the Weekly Allowance for Prisoners of war, as established in the year 1797.

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Bread.	Beef.	Pease.	Salt.
7 lbs.	3 $\frac{1}{2}$ lbs.	1 $\frac{1}{2}$ pints, or greens in lieu.	2 $\frac{3}{4}$ oz.

“ This was equally divided among the seven days of the week ; each prisoner to be allowed two ounces of soap per week.”

“ The Weekly Ration of Seamen and Marines, as now established.

BISCUIT.	BEEF.	PORK.	BUTTER.	CHEESE.	PEASE.	OATMEAL.	BEER.
7 lbs. avoirdupois.	4 lbs. avoirdupois : fresh or salt, equivalents in foreign station in flour or raisins.	2 lbs.	6 ounces, or equivalent in oil, on foreign station.	12 ounces, or substitutes in rice, sugar, or cocoa.	2 pints, or equivalent in rice on foreign station.	3 pints, or equivalent in rice and molasses.	7 gallons, or 1 pint of wine, or half a pint of spirits.

“ Vinegar not exceeding half a pint in a week.”

“ Scheme of the Sickness, Mortality and Desertion in the British Navy, calculated on the scale of 100,000 men.

Years.	Sent Sick to Hospitals.	Deaths.	Desertions.
1779	40,815	2,654	1,424
1782	31,617	2,222	993
1794	25,027	1,164	662
1804	11,978	1,606	214
1813	9,336	698	10

“ It was stated, in a communication from the transport board to the Admiralty in 1805, that one fourth of the whole seamen and marines of the navy were sent to hospitals annually before the introduction of lemon juice in 1796 ; whereas, not more than one tenth part had been sent there after the full operation of the general supply of that article.

“ Had the mortality during the revolutionary war, from 1793 to the year 1813, been as great as it was in the beginning of the American war, the manning of the navy would not have been upheld.

“ And with regard to expense it has been calculated that the cost of recruiting, including bounty, &c. is at an average equal to 15*l.* per man, and the average expense of every man sent to an hospital, is calculated at 5 *l.*

“ But this is the smallest part of the public benefit arising from the improvement of the health of seamen, for before the introduction of lemon juice, and the methods of promoting cleanliness, and ventilation, a fleet could not keep the sea for more than ten weeks, so that much time was lost by the necessity of remaining in harbour for the restoration of health, or of replacing the sick with sound men, and a great addition of ships of war were necessary, to replace those which were disabled by sickness, whereas, by the late improvement, ships can keep the sea for an indefinite length of time ; it is calculated, that in the present state of the navy, there is more efficient service in two ships than in three previous to the year 1796.

“ Towards the end of the American war, the total annual loss of the navy was computed at one in ten ; in the three last years of the revolutionary war, it is computed at one in forty-two.”

*Sir G. Blane,
Bart.*

(May 28.)

What is the paper you now hold in your hand?—It is the dietary for the prisoners out of the infirmary at the Penitentiary.

The diet now established at the Penitentiary?—Yes.

Have you any remark to make upon that?—I am surprised to see that they have selected potatoes; we know that it is a farinaceous food of a vegetable nature, but we know that farinaceous matter is not to be compared to roots, such as turnips, greens, and carrots; I should take it that turnips and carrots were much preferable to potatoes, because the potatoe is a farinaceous matter; I think you might spare an ounce of meat if there were plenty of vegetables, turnips, greens and carrots; I would mention to the Committee, that I have already compared two ships, the *St. Julien*, under Lord Anson, and another under Admiral Rainier; if they will allow me I will now state the difference in two fleets; in 1780 the Channel fleet, under the command of Admiral Geary, after cruising for ten weeks, was obliged to return to port, on account of the prevalence of scurvy; 2,400 were landed at Portsmouth, besides many more cured on board; in the year 1800, the Channel fleet, under Lord St. Vincent, kept the sea off Brest from the 27th of May to the 26th of September, five months, wanting one day, without any fresh diet, and without any sickness ensuing; it must be evident to the Committee, that in the case of 1780, the country was left in a defenceless state, for there was no adequate force to replace the fleet of Admiral Geary, whereas Lord St. Vincent covered the country from hostile invasion for the space of five months together.

When diarrhœa accompanies the scurvy, is the citric acid administered also?—It is not only inoffensive, but becomes serviceable, as appears by those medical journals I have examined; one would suppose that any acid would be noxious, but it is not so; it is not only innocent, but beneficial.

When you mentioned the farinaceous food, as not being so good as greens and carrots, and things of that sort, do you happen to know whether the lower class of Irish, or the lower classes in Lancashire, are peculiarly subject to scorbutic diseases?—I am not aware of that.

This question was put to you on your last examination: “How long have you been in a situation to be particularly conversant with the sea scurvy?” The answer is, “I was four years physician to the fleet in the West Indies, from thirty to forty sail of the line;” you have not mentioned the period at which that was?—I should state, that it was from twenty to forty sail of the line.

How many years is it since you were appointed physician in the navy?—I was physician to the fleet in 1780, 1781, 1782, and 1783.

From your great knowledge of this disorder, do not you think, if your advice had been asked at the first appearance of this disorder in the Penitentiary, you could have greatly mitigated the disease?—I think, by analogy, not only mitigated it, but removed it by the specific I have mentioned, under any circumstances whatever; if the citric acid had been administered, in three weeks it would have been removed.

In prescribing the lemons, do you allow the patient to eat as many as he thinks fit?—It is generally given in the form of juice; economy would prescribe some limit; the quantity which served Admiral Rainier’s ship for four months, was two-thirds of an ounce, that is not quite two table spoons full, and two ounces of brown sugar, put into their grog daily.

What is the greatest quantity you have ever known given?—A surgeon in the navy tried how much a man could take, and he administered a pint a day, and found the stomach was not at all affected by it; that was Mr. Dunn, the surgeon of the *Stag* frigate, commanded by Sir Joseph Yorke.

In a state of health could a person take a pint of lemon juice without it affecting his stomach?—I think not; it would extremely disorder mine.

Do you consider this disorder as at all infectious?—I think not, but it is impossible to set the precise limits; an old doctor at Portsmouth said, it became infectious in a whole district there.

What was your opinion of the state of the infirmaries in the Penitentiary, the day you visited them?—I never saw more cleanliness or better ventilation; I think it is perfect.

Mr. Anthony White, called in; and Examined.

*Mr.
A. White.*

YOU are a surgeon, living in Westminster?—I am.

Are you consulting surgeon at the Penitentiary?—Yes, I am.

You have been so from the beginning?—Yes, from the commencement.

You

You give your services and assistance gratuitously?—I do.

When was your attention first drawn to the disease now prevalent in the establishment?—In the month of March last.

Were you not consulted prior to March?—I was not.

No notification was given to you during the whole month of February, for example, as to the state of the health of the Penitentiary?—None whatever.

What was the condition of the Penitentiary when you first visited?—The sickness which prevailed was reported to me, by the physicians who had been called in aid, to be that of scurvy; they had themselves examined the whole of the convicts in the Penitentiary; they reported the disease to be the scurvy; and my visits then were, in common with them, round the different infirmaries and pentagons, and I had opportunities of making various observations.

Does your opinion concur with the medical persons who attend that establishment, that the disease decidedly was the sea scurvy?—Certainly.

Have you seen many scurvy cases?—It has fallen, probably, to my lot, to have seen a much larger number than practitioners, as civilians, have generally seen, from being in the habit of visiting patients in the lower parts of Westminster.

To what cause would you attribute the scurvy you have seen in the lower parts of Westminster?—I will go back as far as the winter of 1814; I then occasionally attended the united workhouse of Saint Margaret's and Saint John's; during that severe winter, we had upwards of twenty well marked cases of scurvy, and much worse than any I have seen in the Penitentiary; and it was observed by the then living apothecary, that on the recurrence of spring, when the warm weather returned, the scurvy spontaneously disappeared.

To what causes should you attribute the scurvy, then prevalent among the poorer classes?—From the very cold and damp winter, with occasional severe frost, which formed the character of the winter of 1813 and 1814, and a general deficiency of vegetable diet.

Has there been any similarity of weather during the last winter, and the winter of 1813?—No, they were very different; there has been a more continued dry frost during the last winter than in 1813 and 1814, which I conceive to make an amazing difference in the production of disease.

Should you consider the last winter as likely to produce scorbutic attacks to the same extent as in 1813 and 1814?—Certainly not.

Was the disease prevalent last winter in Westminster among the poor people?—Here and there I met with a solitary instance, which is the case every winter.

But last winter not more than the winter preceding?—Certainly not; for this reason; the superintendents of the workhouse having got the alarm in 1814, of so serious a disease as the scurvy existing to the amount of upwards of twenty serious cases, they clothed them better, and adopted precautions, so that the disease is now very seldom seen indeed.

You are speaking of the workhouse?—Yes, and the other parts of Westminster; for in an hospital where I am one of the surgeons, there is a case now of scurvy in a man who came from the country.

Should you consider low and insufficient diet, as one of the causes of that disease?—Certainly, as one of the causes.

Are not the lower classes of English people subject to attacks of scurvy?—Yes; more so than the higher classes.

Should you consider the lower classes being more subject to it than the middling and higher, owing to their generally not being so well fed and clothed, and lodged?—Yes; that is my impression, and from their precarious livelihood.

To what cause should you attribute the state of the disease you found prevailing in the Penitentiary?—One great operating cause, I conceive to have been the long continued cold winter; the other, certainly, the insufficiency of vegetable matter.

Do you consider that there was an insufficiency of animal matter in the food, and that the dietary in general was not sufficient to preserve the health of the persons who lived by it?—I should think that the quantity of animal food per day, or so many days in the week, certainly, was not sufficient.

Should you think, taking the whole dietary altogether, partly farinaceous as it was, and partly animal, not sufficient to maintain health?—I consider that a farinaceous diet may be carried to a much greater extent than is generally considered, and that much animal food is not necessary.

The question is, whether you considered the dietary, such as it was exhibited, was sufficient to maintain the health of the prisoners?—I think not.

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Should you consider it as not only deficient in quantity but deficient in quality?—I consider that the quantity is ample, and that the quality is good, but that the uniformity was not that which would maintain health.

The Committee understand you to mean, that the bread and the two gruels and the soup per day, given for six months together without change, was not good for their health?—Certainly not; that is my meaning.

What alterations should you suggest ought to be made in that respect?—I would suggest an alteration taken from a comparative dietary in other institutions, where the people continue in health, many of them having the same dietary for seven ten or fifteen years.

Are you speaking now of persons who are subjected to confinement, or who have the liberty of going about and seeing their friends and relations, and amusing themselves with the pleasures and comforts of life?—Certainly, in a great degree, in confinement.

To what class of persons do you allude?—To those confined in workhouses.

Have you any particulars to give to the Committee, to illustrate that statement of your's?—I have here an abstract of the dietary of the workhouse of Saint Margaret's and Saint John's; many of those people have been, for a vast number of years, inmates of that establishment, and have very little exercise beyond that which is allowed to the convicts at the Penitentiary, they are rarely without the walls; and to a workman and workwoman who are constantly employed in the place, there is an allowance of thirty-two ounces of animal food during the week, that is eight ounces four days in the week, those are the people who are constantly employed; the ordinary diet of men and women is twenty-four ounces, the quantity of animal food allowed to men and women in ordinary, is eighteen ounces, six ounces three times a week, weighed after dressing; the working class have from thirteen to fourteen ounces of bread per day each, the other classes from eleven to twelve ounces; on the intermediate days their dinner consists of pea-soup made of the liquor in which the beef had been previously boiled, and mixed with which is a large quantity of garden herbs, turnips, carrots and celery; and gruel for breakfast; now I would beg to observe, that although this diet has never been changed, except in the alteration of the bread, from brown to white, that still this disease, the scurvy, every now and then makes its appearance among them.

Has that dietary been established any considerable length of time?—The master of the workhouse has told me it had been established upwards of twenty years.

Is the general state of the health of the persons in those workhouses good?—Yes, the general state; there is a great proportion of old and infirm people, but the young are generally healthy.

Have you never heard of or seen any disease that has broken out amongst them that might fairly be attributed to the dietary?—Certainly not.

The Committee understand you to say, that one of the traits in your dietary consists in the change?—Certainly.

In the alternation of meat and farinaceous roots?—Yes, certainly.

Is it your opinion, that what is called household bread or brown bread, is apt to act as a purgative upon persons who live upon soup diet?—I should think it would rather act as a purgative than otherwise, but not to any great degree.

White bread contains more nourishment than brown?—Yes; and I do conceive that the bran not sifted from the flour acts mechanically upon the bowels; from being refused to be taken up by the vessels in the stomach, it passes through the alimentary canals still bran, and produces a tendency to diarrhoea.

In those workhouses and in your own practice, have you used the citric acid as a cure for the scurvy?—Yes, I have.

In your practice have you found it as great a specific as you have just heard it stated to be?—My practice necessarily has been very limited, compared with that of Sir Gilbert Blane, but I do consider it a powerful antiseptic, and also an antidote of the kind described; but I would also observe, that there are many other vegetables useful, though not to the same extent.

Has it been much used in the Penitentiary during the late illness?—After Doctors Latham and Roget were introduced, they gave it a full trial, but the diarrhoeas were increased by it, therefore it was discontinued.

An opinion has been stated to the Committee, that it was not unlikely that the transition from the diet that had continued from July last until the time that Doctors Roget and Latham were called in to a meat diet, was likely to have caused that diarrhoea, independently of that scorbutic affection; is that your opinion?—Yes it is; I have

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I have for some weeks entertained that idea, that the sudden return from the diet which commenced in July last, and was changed in March to an animal diet, was mainly the cause of the diarrhoea that has since arisen.

You would consider the generality of the cases existing as not diarrhoea connected with scurvy, but owing to change of diet?—Yes, certainly I do; because we have had so many new cases lately of persons who, during the whole winter and spring, were in perfect health, in the latter days have been sent to the infirmary with bowel complaints.

These cases not being cases of scurvy, this citric acid could have had no effect?—None whatever.

Further than doing mischief to the bowel complaint?—Yes, where the citric acid would have been very injurious, there is no doubt there has been scorbutic diarrhoea in the Penitentiary, but the latter cases are not of that description.

Was the lemon juice tried in cases of scorbutic diarrhoea?—Yes, it was, and it increased the disease.

Is it your opinion that this disease is at all infectious?—I have been disposed to think so lately.

Is the circumstance of persons going to the same privy, likely to give it to each other?—I think that which is called in ague miasmata, the atmosphere around the persons affected may communicate it to others.

Do you know whether the officers of the prison have been affected by it?—I heard of one or two of the children being affected by it, but not the officers.

Do you happen to know, that three of the turnkeys, using the same privies with the prisoners, have been affected with it?—Since the question has been asked me, I recollect now, perfectly, that three or more of the turnkeys had it.

Has the diarrhoea affected any of those prisoners newly come into the Penitentiary?—That question I cannot answer.

Those upon whom the long confinement, and the scorbutic disorder of the winter, cannot have operated?—I have not heard of it.

Do you happen to know, whether any of the prisoners that came in about the 17th of February have been affected by this complaint?—I cannot answer that.

Are diarrhoeas in general considered as infectious?—No, they are not; the diarrhoeas of dysentery are decidedly infectious.

Is there any thing in this diarrhoea you would class among dysenteries?—Certainly not; from the observations I have had an opportunity of making of the evacuations, there are none of the ordinary marks of it.

From what you have seen of the Penitentiary, do you think the disease is on the decline?—Certainly; we have not a single spotted case in the Penitentiary now, nor have had in the last two months.

Upon going round the Penitentiary, do you see any visible alteration in their appearance?—I think, since the spring has returned and there has been a full diet, there has been a better aspect generally.

Prior to the disease breaking out in January and February last, was your attention directed to the look of the prisoners after they had been subjected to the new dietary?—I was never consulted upon it.

Do you think any part of the prison is damp?—I have not seen the slightest degree of damp any where; on the contrary, it is peculiarly dry and well aired.

You have mentioned the word scurvy generally, is that similar to the sea scurvy?—I have had but a few cases of persons who had come from on board of ship, and it bears a great similarity to the disease that now exists in the Penitentiary.

Do you think the taking down the walls in the court yard would materially improve the airiness of the court yards?—I was through the yards at an early hour this morning, and having heard that question asked yesterday, I was particularly attentive, and there appeared to me no necessity for it; the walking yards are much more ample than they are in many private schools; the walls are not above eight feet and a half high.

Did you happen to pace the yards at all?—No, I did not; I measured them with my eye, and the surrounding building, I should think is thirty feet high, but from the great space there is, there did not appear to be any want of circulation of air.

Are you acquainted with the degree of exercise the prisoners have?—I made particular inquiry as to that.

Do you think it has been sufficient to preserve the health and strength of the prisoners?—I should think quite so, it is more than I thought it was; there is at

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this season of the year nearly three hours a day ; I calculate that a person may eat his meal in twenty minutes, and there are three times forty minutes to walk in.

Do you think the second class have sufficient exercise ?—Certainly ; I say certainly on this ground, that I am well aware that in various institutions, not prisons, persons remain in perfect health who have not so much exercise.

For the same term of years, from ten to four ?—Certainly not ; but I consider the second class have ample exercise to keep them in health.

Have the second class the same exercise as the first, barring the working at the mill ?—They have all the same exercise at this moment ; what it was previously, I cannot say.

A dietary has been given in to the Committee this day, which is in use at Devizes, and which consists as follows :—“ One pound and three-quarters of the best wheaten bread, one pint of oatmeal gruel, with salt, and one pound of potatoes, per day. On Wednesdays and Fridays, in lieu of potatoes, one pint of vegetable soup.”—Is that sufficiently ample, and the change of diet sufficient to maintain health ?—I should think this altogether an unfit diet.

Suppose it was told you, that persons who have been subjected to that diet for six months, or twelve months, or two years, had increased in weight under it, would you consider that a sign of their having kept their original strength ?—I conceive that all animals, if I may be allowed the expression, put into a state of confinement, will get fat upon a very little food ; and I do believe this diet would, in young and healthy people, fatten them for a time ; but it would not be permanent.

You would consider that persons subjected to that diet for two years, though in appearance they might be healthy and fat, in reality they would have lost ground and strength during the time they had been in prison ?—I beg to answer, that I do conceive they would accumulate a great quantity of fat, but be deficient in muscle.

Have you any other observations to make ?—There is an observation I have omitted, and which has a reference to the diet which has latterly been established—the return from the soup diet. It had been frequently observed in the workhouse, that among children more especially, who had been out at nurse and fed upon a vegetable and broth diet, when they return to the house, for a considerable time vomitings and diarrhœas took place among them, evidently caused by the return to a meat diet.

Peter M. Roget, M. D. called in ; and further Examined.

Dr. Roget.

HAVE you since you have been medical attendant at the Penitentiary, given the citric acid to the persons who have been attacked by disease within its walls ?—We gave lemon juice very extensively to patients in the infirmaries, labouring under scurvy in all its forms ; and the result of our experience was, that the bowel affections were much aggravated by this remedy, and in consequence we discontinued it. We also gave lemonade to convalescents from this complaint, but we found it brought on a return of the affection of the bowels, and we were forced to abandon this altogether. Mr. Hutchison had given lemonade to a few patients, previously to our being called in, and we continued the practice at his suggestion ; but experience obliges us to discontinue it.

Did you find that those persons who had decided cases of scurvy and diarrhœa, that their bowels were affected by giving the lemon juice ?—Generally they were.

And even in scurvy cases, you were obliged to abandon the treatment from those causes ?—Where it was connected with the affection of the bowels.

The Committee have heard there are many cases of diarrhœa in the Penitentiary, that had no connection whatever with the scorbutic attacks ; is that so or not ?—It may be the case in some instances, but it is difficult always to determine whether the diarrhœa is connected with the scurvy, unless it is accompanied with certain symptoms.

The Committee allude to cases in which there is no scorbutic symptom ; cases of simple diarrhœa ; in those cases you would consider the giving lemon juice as likely to increase the disorder ?—I should think so, from the experience I have had in the Penitentiary.

Have you found giving oranges advantageous, or have you been obliged to abandon that ?—We have been obliged to abandon the use of oranges with many of the prisoners who had affections of the bowels, in consequence of finding it aggravated the symptoms.

There were a considerable number of convicts sent to the Penitentiary some time in

in February, about the 17th, do you know whether any of them have been attacked with the disease?—A few have.

Has the disease been an attack of the scurvy, or a simple diarrhœa, to which the prior question alluded?—In a few, there had been scorbutic appearances on the legs; in others, merely diarrhœa.

How long were those persons subjected to the old dietary?—A fortnight only.

Do you consider those persons as having brought the disease with them into the prison?—I believe that was the case with several.

You do not think that they could, in the short period of a fortnight or three weeks, have contracted the disease of scurvy from the dietary to which they were subjected?—I think they could not.

Supposing that that opinion is at all correct, that the disease is contagious, might they not have caught it?—Certainly.

From your observation, have you any doubt upon your mind upon the subject, whether it is contagious or not?—It is difficult to speak positively on the subject, but I have no distinct evidence of contagion having operated, and I do not believe it contagious at this moment.

Are you aware that three turnkeys, using the same privies with the prisoners, are labouring under diarrhœa?—I have been told so.

You have just been told, that three of the turnkeys are labouring under the case of diarrhœa, using the same privies as the prisoners, do you think that they might have caught that disease from that circumstance?—I think they might, if the disease was contagious; but it would require a considerable number of facts to establish the contagious nature of the disease.

You would not consider the cases of three persons, under all circumstances, as sufficient to establish that fact?—I should not think it sufficient.

Have there been many new cases of diarrhœa since the change of the dietary?—There have been many.

Do you consider, that the transition from the old dietary to the new is likely to have produced those cases, independent of any scorbutic attack?—Possibly they may; but I beg to observe, at the same time, that the change has been gradual; the change I mentioned on a former occasion was not made all at once, but at different times different parts of the dietary were changed.

To what cause should you attribute the new cases?—It is very difficult to determine the exact causes?—I should think a great many instances arose from the constitutional disarrangement that had been produced by low diet.

You would consider the disease as having been latent, and lately broken out?—Yes.

In your former evidence there is a mistake?—Yes, there is; I am made to give an answer contrary to what I meant to give, in page 11*, to the question, "You imagine that absence of exercise, combined with cold, is one of the material causes of this sickness?" I am made to say, in the latter part, "I do not consider the exercise in the Penitentiary to be sufficient," I meant to say "insufficient."

* of the Minutes as first printed for the use of the Committee: It is now corrected; see p. 26, ante. ✓

Have you seen the prisoners in Cold Bath Fields at work at the tread mill?—I have.

Have you also seen the prisoners in the Penitentiary work at the crank mill?—I have.

Do you consider the exercise of one of those mills better, or more for the body than the other?—I consider the exercise at the Penitentiary as exercising the muscles of the body more than the exercise at the tread mill.

And while it lasts infinitely more severe?—Certainly.

Are you acquainted with the dietary of the turnkeys, how they live?—I am not.

Their diet is plenty, whatever they choose?—I suppose their is no restriction.

Have you ever found any difficulty, in cases of sickness, in applying to the proper authority, in obtaining the nourishment or medicine you thought necessary?—No difficulty whatever, but on the contrary, the greatest facility.

And even wine, if necessary?—Yes, where it was ordered.

Are you of opinion, that any citric acid exists in oranges?—I am of opinion it exists in oranges, but not in an equal proportion to lemons, in proportion to ripe oranges.

Mr. John Godwin Johnston, called in; and Examined.

HAVE you attended Norwich gaol lately?—I have attended, as assistant to the surgeon who holds the appointment of surgeon there, Mr. Scott.

Mr. J. G. Johnston.

Mr.
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Were there any cases of scurvy amongst the prisoners in that gaol?—Yes, there has been a few cases of scurvy this spring; I might say the winter, I do not exactly remember the date; I think they began the latter part of January or beginning of February.

Has your attendance been limited to this year, or have you been attending there frequently?—I have been with Mr. Scott ten years, and been in the habit of visiting occasionally.

Did you ever see cases of that kind before in Norwich gaol?—No, I did not.

To what should you principally attribute its existence in this winter?—It is difficult to say; there were only five instances; the operations of the causes are so different on different men; I have seen the causes attributed by Drs. Roget and Latham, and I recollect it occurring to my mind that they might have operated in our gaol, on a smaller scale; their friends are allowed to bring them in food in this prison, and one of those men was notorious for being well supplied; one man was decidedly so; on asking the people round what food he had, I found he was remarkable for having a very good supply sent to him once in a week.

What was the ordinary food?—The allowance to prisoners by the county is two pounds of best wheaten bread; cheese once a week; I do not know the quantity.

Had those persons been long prisoners, or were they for trial?—I believe they had been all tried.

House of Correction prisoners?—They had been riotous, and sentenced to imprisonment for a year or two.

One of them was tolerably well supplied with provisions; were the other four in the same situation?—They were not so; on asking the question of the man who inspects the food, he told me they were not; one or two of them were scantily supplied by their friends.

It is your opinion, then, that the causes which operated in the Penitentiary, according to your observation, in creating the disease there, operated equally in creating the disease in four out of those five cases?—I should say, that all the causes mentioned there cannot be necessary to produce the disease; perhaps one particular cause abounding very much, may be sufficient to produce the disease, one cause being wanting, because one man had a sufficient quantity of food, and was not much exposed to the cold.

Was not it possible that that disease might have been so strongly in his habit, as to be easily called forth by any change in his ordinary mode of life?—It might be so; he was an old man, of superannuated years.

Was he a labouring man?—I cannot say that; I should think he was a labourer, from the circumstance of his coming there.

Have you been round the Penitentiary?—Yes, on Saturday.

Was the appearance of disease in the Penitentiary at all similar to that of the five cases to which you have referred at Norwich?—Similar it was in a degree; they had petechial spots; but these men had ecchymosed legs, and in the other parts petechial spots.

You should say, that the disease at Norwich was in a more aggravated form?—Yes; or that the other was very mild; they were getting well.

What was the treatment they were subjected to?—Principally administering the citric acid.

Did you find that successful?—Yes, we did.

Any oranges?—Yes; they were ordered to the persons who were sick.

Was there any diarrhoea?—No.

Under those circumstances, you felt yourself at liberty to administer the citric acid in a good dose?—Yes; I cannot tell the exact quantity; it was administered as a medicine by us.

Is the situation of Norwich gaol low or high?—Exceedingly high; that is, the old castle.

Alexander C. Hutchison, M.D. called in; and further Examined.

Dr. Hutchison.

WHAT difference is there in the quantity of nutriment contained in the original scheme of dietary from that in the scheme recommended by you, and from that in the dietary adopted by the committee in July last?—I beg leave to preface the answer I shall make to that question with a remark or two on the subject of the calculation necessary, to come to a correct account of the three different schemes of diet. It is a question involving much more difficulty, and requiring a great deal more time, than at first sight might appear to be the case, because the diet for the men

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men and women differs, and because the diet differs on one day from another day, and from a variety of other causes, which indeed requires the closest attention and study, to come to any precise point; therefore, with permission, I will read the answer I wish to give.—I beg leave to observe, that the diet in each of those schemes may, on the whole, be considered as resolving itself into two parts; namely, the farinaceous food, and the animal food. It is also necessary to premise, that, in each of the three schemes which have been mentioned, the allowance for one day differed so materially from that of another, both in respect of quantity and quality of diet, that no just comparison of those schemes of dietary with each other can be made, except in reference to the weekly ration which each scheme comprehended. I beg moreover to mention, that, in each of the three schemes, the quantity of diet allowed to a male differed, in some degree, from that allowed to a female, which renders it further necessary to distinguish the weekly ration of a male from that of a female.—First, then, in respect of farinaceous food. The weekly allowance by the old scheme of diet was, to a male, $10\frac{1}{2}$ lbs. of bread, 7 lbs. of potatoes, and 14 pints of gruel or porridge; to a female, 7 lbs. of bread, 7 lbs. of potatoes, and 14 pints of gruel or porridge. By the scheme proposed by me, the weekly allowance to a male was $10\frac{1}{2}$ lbs. of bread, 1 lb. only of potatoes, and 14 pints of gruel or porridge; to a female, 7 lbs. of bread, 1 lb. of potatoes, and 14 pints of gruel or porridge. Lastly, by the scheme adopted by the committee, the weekly allowance of the males was $10\frac{1}{2}$ lbs. of bread, with 7 pints of gruel; and to the females, 7 lbs. 14 oz. of bread, with $5\frac{1}{4}$ pints of gruel: potatoes to be given at discretion in lieu of bread, and when so given, the quantity to be double the weight of bread taken away.—Secondly, with respect to animal food. By the old scheme of diet, the allowance consisted principally of solid meat, with a less proportion of liquid nutriment; *viz.* soup or broth. By careful experiment and inquiry, I am fully certain that the strength of this soup was such as to contain the substance of 24 ounces of meat in every 13 pints of broth. The weekly allowance to a man was 24 ounces of boiled meat, and 8 pints of soup, containing $14\frac{1}{4}$ ounces of meat; in all, $38\frac{3}{4}$ ounces of meat; while to a female there were 24 ounces of boiled meat, and 5 pints of broth, containing $9\frac{1}{4}$ ounces of meat; in all, $33\frac{1}{4}$ ounces of meat. By the scheme of diet proposed by me, the allowance was to have consisted of a small quantity of solid food, but chiefly of liquid nutriment of the very same strength as that in the old scheme. The weekly allowance to a man was 8 ounces of boiled meat, with 12 pints of broth, containing 22 ounces; in all, 30 ounces of meat; while the allowance to a female was 8 ounces of boiled meat, and 9 pints of broth, containing $16\frac{1}{2}$ ounces of meat; in all, $24\frac{1}{2}$ ounces of meat. Lastly, by the scheme of diet adopted by the committee, the allowance consisted entirely of liquid nutriment of such a strength to the males, as contained the substance of 144 ounces of meat in 200 pints of broth; or 18 ounces in every 25 pints; and of this broth each male was allowed 14 pints a week, containing therefore ten ounces of meat. The broth allowed the females was of such a strength as to contain the substance of 144 ounces of meat in every 180 pints of broth, or 12 ounces in every 15 pints; of which broth each female received weekly $10\frac{1}{2}$ pints, containing the substance of $7\frac{1}{2}$ ounces of meat. The Committee will see from this the great difficulty of making the calculation; and at the time when my mind was considerably stretched upon the present business, it is not surprising I should not have made so accurate a calculation as I could have wished.

Did you ever find any difficulty in making any application for nourishment for any person sick?—No, certainly not; wine or any thing necessary for the accommodation of the sick, that I judged necessary, was never objected to by the committee.

Did you order it yourself, or apply for it?—I ordered it, and when the surgeon made application for it, it was immediately supplied, the order went from the surgeon to the steward.

George P. Holford, Esq. a Member of the Committee, further Examined.

YOU are one of the members of the committee for the management of the Penitentiary?—I am, and have been from the beginning in the month of February 1816.

In fact, the Penitentiary opened for the reception of prisoners in 1816?—It did, in the year 1816, in the month of June.

And from that period till the present moment you have given a considerable portion of your time and attention to the management of the affairs of that establishment?—I have attended to it constantly during the meeting of Parliament while

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Esq.*

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in consequence of chilblains?—I am not aware that such complaints have been frequent; they may have been made occasionally.

Do you think that all parts of the prison are sufficiently ventilated, and that there is a sufficient current of pure air through the whole of it?—I believe the Penitentiary to be ventilated in a very remarkable degree; it is a narrow building, about 17 $\frac{1}{2}$ feet in breadth, consisting, in all the parts of the prison, (except on the upper story of the pentagons 3 and 4,) of a single row of cells and a passage, and there are windows on both sides of the building. There is also a communication from each of the cells up into the roof, to carry away foul air; and, as far as I can judge, from the opinions of those with whom I have gone through the prison, it is remarkably well ventilated.

Have you never found any noisome smell in the prison?—I think the prison is particularly free from offensive smells; the privies are all waterclosets, and there is a constant supply of water.

You have stated, that you do not think this disease has at all originated from any want of exercise, what is the exercise that each class has, beginning with the first?—The first class, prisoners, in the winter time, work in two pentagons at mills, and in two others at the machines for raising water, twice a day; they work twenty minutes at each turn, and then walk for ten minutes in the yard to cool themselves, before they return to their cells; in case the mills should be in a state not to be used, while the stones are dressing, or should be in any way out of order, the prisoners would walk in the yard during the time they ought to have been regularly employed at the mills.

Now as to the second class?—The second class had, till lately, in the winter, only one hour for dinner, air, and exercise; they generally come out of their cells from a quarter of an hour to twenty minutes after one, then they walk till two; in case of bad weather, they walk in the passages for the same time; but from the 26th of February last, the second class have been allowed to walk from nine to half past nine in the morning, their breakfasts being given out in time to be over by nine; the females are upon the same footing, as to exercise, with the second class of males; in the summer time, the first class men work twice at the machine or mill for half an hour each time, they walk ten minutes to cool themselves after each turn, and then have forty minutes more walking before they are locked up for the evening; the second class have the same exercise they have in the winter time, from nine to half past nine, and between one and two o'clock, and they have an additional hour from five to six, for a part of the summer, and from six till seven for the other part.

Do you think that the second class, as well as the first class, have sufficient exercise to keep them in health and strength?—I think they have sufficient; but there would be no harm in their having more; and the necessity of grinding more corn, in consequence of our having to provide white bread instead of brown, will make it not inconvenient for them to have more exercise; a scheme is now under the consideration of the committee for erecting two additional mills, and for adding to the machinery now employed in raising water, so as nearly to double the exercise now given to the male prisoners.

Would not, generally speaking, the second class like very much to be employed in the mill; could you not get a great number of volunteers in a day for that purpose?—They certainly would like it; for very lately, since the prison has become sickly, we have been glad to avail ourselves of the labours of the second class, and the men willingly consent to work in raising water; of course, under the present regulations, they could not be so employed without their own consent; but it will be a part of the new plan to employ the second class at the mills and water machines, as well as the first. The reason why I stated that I did not apprehend the disorder now prevailing in the prison to have arisen from want of exercise is, that the prison has been for six years healthy, with the quantity of exercise now allowed, and even with less exercise for the first class, previous to the time when the mills and machines were put up; and also that the sickness has been most prevalent among the females, who have as much exercise as the males of the second class, and for whom I should suppose less exercise would be sufficient, inasmuch as women are generally of more sedentary habits than men.

Do you think that what are known generally under the name of moral causes, are likely to have produced any effect?—The principal of those causes are depression or dejection of spirits, and I do not believe this prevails to any considerable extent in the Penitentiary; I say this partly from observation, and after having been for several

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several years in communication with the prisoners for a considerable part of the year almost daily; and partly because I do not apprehend that there would be any reason prior to experience to suppose, that dejection or despondency should be common in the prison at Milbank. I apprehend the most frequent causes of despondency and dejection out of doors, to be the want of occupation, and that lassitude of mind which succeeds to the excitement occasioned by the use of spirituous liquors, or by a very great degree of exertion; depression of spirits arising from a mistaken view of religion, from remorse of conscience, or from the sorrow occasioned by the alienation of friends, or by the loss of credit and character, is certainly very likely to arise in the Penitentiary; but I conceive the chaplain is the best antidote to dejection proceeding from causes of this kind, and the chaplain is always at hand; if the prisoner labouring under this evil should not send for him, the constant inspection to which the prisoners are subjected is such, that the chaplain would be immediately informed of any prisoner appearing to be much out of spirits, by the officers in charge of him. The prisoners are also liberally supplied with bibles, and with that class of religious books which is calculated to excite hope rather than despair. It should also be observed, that the prevailing sickness has been most frequent among the prisoners of the second class, who associate together during the whole of the day, and whose minds may be considered as likely to be cheered by the hope of a more speedy release than can be expected by the prisoners of the first class. For these reasons I apprehend, that dejection or lowness of spirits is not likely to occur to any great extent in the Penitentiary, or to have been the cause of the present disease.

From your observations among the second class, is there that general air of cheerfulness which you find among those who work out of prison?—I think their spirits are generally pretty even; never very high, nor ever much depressed; neither mirth nor sports of any kind would be allowed. There is nothing in the prison of the nature of solitude, properly so called, even among the prisoners of the first class, who are kept separate during the day. The wooden doors of the cells are generally open, and the prisoner is allowed to come out at any time if he has occasion to go to the privy; there is generally a wardman going about the ward, and an instructor passing from cell to cell, to give the prisoners instruction in manufactures; they also stand at their cell-doors at certain times to hear portions of the scriptures read, and occasionally come out to school, and they are taken up and down to and from the court yards two or three times a day; under those circumstances there does not appear to be any thing like solitude, in the sense in which that term is used generally.

The first class walk two and two round the court together, for a couple of hours each day?—In the summer they walk for forty minutes, besides the two walks of ten minutes each after their turns at the mills, or water machines; when they walk in the yard they walk two and two; they are not allowed to talk loud; they are allowed to take a book in their hands and read, if they think fit.

Do they walk two and two according to their own free will, choosing the person with whom they walk, or are they confined to any particular comrade?—There is no distinct rule on this head, but they are certainly not allowed to choose their companions generally; the only rule in the regulations of the prison upon that subject is, that they shall walk as the governor shall direct.

And, of course, in his arrangements he takes care that those persons shall walk together who would rather improve than injure each other?—It is very much regulated by the task master, unless a particular appeal is made to the governor; there may sometimes be reasons why particular prisoners should not walk together.

How long are persons generally kept in the first class?—The rule prescribed by the Act of Parliament is, that a prisoner should remain there for one-half of the period for which he comes into confinement; but it very seldom happens that any prisoner remains in that class so long, unless he is a very bad prisoner.

In life cases commuted to ten years confinement, according to the Act of Parliament, every prisoner is in the first class half the period of his imprisonment, subject to this discipline?—According to the provisions of the Act he would be so, but there is no case of any person having remained so long.

It is in the discretion of the committee to remove them or continue them, according to their conduct?—Yes; and it is also in the discretion of the committee (a discretion which is very often exercised) to remove them back to the first class, if they misbehave.

Is that considered one of the most heavy punishments?—It is.

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The removal from the first class to the second is one of the greatest rewards?—It certainly is.

Has it ever occurred to the committee to establish any thing of the nature of a treadmill in the Penitentiary?—It has not: I do not know that the subject was ever considered in the committee; but as I was one of the supervisors employed to build the prison and to set up such mills as were necessary, the subject was considered by me, it was, however, before the treadmill was much in operation; I think the treadmill a very useful invention, particularly suited for county prisons, or prisons where it is wished to employ prisoners for a long time together out of doors; it is tedious tiresome work, but considered as a means of exercise, I do not apprehend the treadmill to be any thing like so good as the crankmill; the principle on which the Penitentiary was established was, the separation of the prisoners from each other in as great a degree as might be possible; the only purpose for which the prisoners are brought together in the court yard is for exercise, and for exercise I think the crankmill answers much better than the treadmill; the treadmill very seldom makes those who are employed at it perspire, at least those I have seen upon it, after having worked a certain number of minutes, have come off and sat down in the open air, it would not be consistent with the health of the prisoners employed in the crankmill to sit down in the yard, or to return to their cells, without first walking about to cool themselves; I apprehend, therefore, that the exertion used at the crankmills is much greater than that produced by the tread mill; there is also another reason why I should consider the crankmill as preferable in the Penitentiary; the disorders most likely to occur from confinement in a prison where persons are confined closely, is the scrophulous enlargement of the glands under the neck, and that sort of exercise which brings most into action the muscles about the chest and shoulders and arms, is much more calculated to prevent this disorder than that which acts principally upon the muscles of the leg. I am also inclined to doubt whether, after a man had been for several years employed upon the treadmill, his muscular strength would not be, in some degree, transferred from his arms to his legs.

Are those complaints you have referred to in the glands of the neck, common complaints in the Penitentiary?—There are many cases of that kind, and I apprehend that scrophulous disorders will frequently break out among persons who change from intemperate habits to temperance, and are subject to much confinement.

Have you often changed your governor since the establishment?—We have now a fourth governor. I should observe, that in a prison of a new character, and regulated on a very complicated system, in which we attempted to combine strict discipline with manufactures and moral and religious instruction, none of which (*i. e.* neither discipline, manufacture, or moral and religious instruction) had ever before been carried to the same extent in any other prison, it was not likely that we should easily suit ourselves with a governor; we could not expect to find any person in any other prison, whom we could transfer to the government of the Penitentiary, and accordingly we were obliged to take our chance among the most eligible persons that offered without experience. I believe the first governor expected to find his situation a much better place than he found it, in point of emolument, and did not calculate upon the degree of activity to be expected in a person at the head of such an establishment. I cannot recollect how long he continued with us, but it was not very long. The committee did not consider the second governor as having those habits of mind, particularly those habits of conciliation which are required in a person at the head of such an establishment; the third governor though not so high in rank as could have been wished, was when first appointed, not unfit for the management of the prison; we endeavoured to get persons of higher rank, but having failed in one or two negotiations upon that subject, we took the person to whom I allude; some time after he had been in the prison, he was seized with an affection of the brain and had an illness, which for a time made it necessary he should give up his charge, I believe for about a month or five weeks, and I do not think after that time, he was ever capable of the same degree of activity which he exerted before; as he has lately left the Penitentiary, I think it but justice to him to say, that there was no imputation upon him, of any want of integrity, or of having acted in any other manner than according to the best of his judgment; a want of sufficient activity was the only fault which the committee imputed to him.

How many committee men originally were appointed?—By the Act of Parliament the number is to be between ten and twenty; the principle upon which that committee should be formed, was laid down in the first Report of the Committee on Penitentiary

tentiary houses, made by a Committee of this House, in the year 1811, and it was particularly stated in that Report, that it would be proper to appoint the committee annually, in order that such gentlemen as might cease to take an interest in the concern, or might discontinue their attendance from any other cause, might be left out without any offence; the committee has not been appointed so often as annually, we have had three or four different committees appointed since the prison opened.

Have many persons resigned the situations they held?—I know of no persons who have resigned from differences of opinion or disgust, though I suspect this to have been the case as to one resignation, I do not know it, but there may be one person who has resigned lately in consequence of not being satisfied with the state of the prison; I recollect all the members who have been left out of the last appointment, and the causes which induced the secretary of state to leave them out, except in one instance, one had quitted London, one had taken an office in London which made it impossible for him to attend, a third had lost an assistant in his office, and said that he could not conveniently attend the committee, he had never in fact been there; one of the first persons who left us, after the appointment of the first committee, in February 1816, was Lord Colchester, who had given more attendance than, considering his parliamentary duty, was consistent with the state of his health; Sir Archibald Macdonald quitted us in 1821, finding it inconvenient to attend, from age and infirmities, and ceasing to be much in London; Mr. Bathurst has also retired into the country; some members have been appointed who never attended; I think I could account for the omission of every person whose name has been left out of the lists, subsequent to the first list, except two, and I do not know the causes of their being left out.

With respect to officers, have you been obliged to change the subaltern officers?—We have had three matrons; the present matron has been in the service of the establishment from its commencement, but was originally in an inferior situation. In a very large establishment of inferior officers, it is necessary to make changes frequently; exercising a very strict discipline over the prisoners, it is necessary for us to observe much strictness in regard to the officers; the chaplain has never been changed, but some alteration has taken place in the medical arrangement since the opening of the prison.

State the nature of that alteration?—When the prison was first opened, it was a very grave matter of consideration in the committee, whether they should have a resident medical gentleman, and it was thought to be absolutely necessary that we should have a professional person residing within the walls of the prison; if we had not such a person, and any prisoner should be taken suddenly ill (should have a fit for instance) in the night, very great inconvenience would result from the governor's being obliged to send to Westminster for a medical man; or a prisoner might sham illness for the purpose of throwing the prison into confusion; on the other hand it was clear that we could not give a sufficient salary to induce a person of high standing in the medical line, to give up all other practice; we thought it was better on the whole, to have such a medical resident as we could afford; and we endeavoured to supply the want of more able assistance, by having a consulting physician, and a consulting surgeon, who acted gratuitously; Mr. White was the consulting surgeon and Dr. Hutchison was made the consulting physician; Dr. Hutchison paid a good deal of attention to the establishment, much more than was contemplated when his appointment was made; and after he had acted as consulting physician (but doing a great deal more than was expected from him in that character) for three years, I think it was about the month of May 1819, it was intimated that Doctor Hutchison would take the medical charge generally of the prisoners over the surgeon, Mr. Pratt, for a salary of 200 *l.* a year; whether this amount of salary was named by Doctor Hutchison or any of the committee, I do not at this moment recollect; I have seen it stated that a salary of 300 *l.* was offered to him, but I am not aware of that circumstance. I think Dr. Hutchison's services would not have been at all overpaid by that salary, but I should not have chosen to propose it to the committee, because I doubt whether they would have been prepared to give so high a salary, or whether Lord Sidmouth, whose approbation was necessary, would have allowed it, especially as the number of prisoners was then very inferior to what it is now; from that time Doctor Hutchison has acted as principal medical superintendent, which word was chosen to avoid the use of the term physician, as Doctor Hutchison does not act in that character in London, though he has taken out his diploma. The master manufacturer is the second person of that description we have had since the opening of prison, the first was a very young man, and his conduct was not thought steady enough for the post he occupied.

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Veneris, 30^o die Mai, 1823

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

*Sir James M'Grigor, M. D. called in; and Examined.**Sir J. M'Grigor.**(May 30.)*

WERE you consulted at any time in the year 1822, upon the subject of the dietary in the Penitentiary?—I attended twice, I think, in 1822, in consequence of a letter I got from Mr. Bathurst the 22d of March.

Did you then examine what the dietary was as then existing in the Penitentiary?—I examined it at both the times; the dietary I examined, and the state of health.

The Committee understand you to say, you examined the state of health of the prisoners, as well as the dietary by which they were maintained?—Yes; the greater part of them.

First, as to the state of health; what was your opinion of it at the time you examined them?—I found them in a very high state of health; but that the prisoners were plethoric, particularly the female prisoners.

To what did you attribute those appearances of plethora?—I thought that the diet was too full for them, taking into consideration their confinement, the very little they were called into action, and the little required of them.

So that you thought, that from the sedentary occupation, particularly of the female portion of the prisoners, the diet was too full as tending to plethora?—Precisely so.

Did you recommend that any change in that diet should take place?—I did; and I wrote a letter to the committee of the Penitentiary, dated the 27th of April 1822.

[Vide Papers (A) p. 333.]

Did you, having given in that dietary on the 27th of April 1822, make any change yourself in that plan of dietary, or did you see any other plan that had been made by other persons?—I made no change myself, but a change I believe was agreed to by the governors of the Penitentiary, and that change was mentioned to me by an honourable member of this Committee.

Did that change meet with your approbation?—I did not see any thing objectionable in it; I believe I expressed myself so at the time; it was not what I had recommended.

If the letter is rightly understood, which is now before the Committee, of the 27th of April 1822, you recommended that solid meat should not be given, but instead of that, meat mixed with soup?—The substantial change I recommended, was a reduction of eight ounces of bread from the male, and two from the female, but on its being stated that danger accrued from the use of knives and forks, I saw no reason against comminuting the animal food, mixing it with soup and making spoon meat.

That is to say, that instead of having the meat in its crude form, they were to have more of its essence in the nature of soup?—That the meat was to be cut down into the soup.

Did you mean that there was to be any meat at all in the soup, or that it was to be only the soup?—That the same quantity of meat that had been given before should be given, but so as not to require the use of knives and forks.

When you saw the dietary which was afterwards adopted in July, you would perceive that the communication of the meat with the soup was abandoned, and that no meat at all was given; did you see any objection to that when it was proposed to you?—I did not give so much consideration to that as to the other, but I did not see any objection, and I believe I so expressed myself.

You visited the Penitentiary on or about the 22d of February 1823?—I did about the middle of February; I believe the 14th of February 1823 was the day.

Were the prisoners in the Penitentiary then in a state of sickness?—I cannot say they were; they were of less size, particularly the females, than they had been when I saw them before; I went with a view of seeing what effect the diet had upon the prisoners.

Were any statements made to you by the officers of the prison, by the matron or the superintendent of the works, or any person well acquainted with the situation of the prisoners, that their health and strength evidently were impaired?—I should say that in the shape of complaint I believe nothing came to me; but I do remember in going round among the prisoners, it was mostly the females to whom I confined my attention

attention that day; the matron, who appeared to feel very much for the prisoners, a very good natured woman, made some remarks that they would be much better; the only complaint the prisoners themselves made, was about the soup, I think they grumbled about the soup, the barley soup I remember particularly.

Did you take into consideration the situation of the prisoners, and the diet by which they were nourished at that period?—I believe their situation was precisely that it was on my two former visits, when I gave a great deal of time and attention to it.

The Committee understand you to have drawn the conclusion, that the diet had not much to do with the state of health in which the prison was?—I am not aware that the state of health was bad; there certainly was no increase of disease.

Have you been there since the 22d of February?—I was there I think, either the end of March or the beginning of April, when I understood that a great deal of disease prevailed among the prisoners, the scurvy; I requested to meet the two physicians who were appointed to visit the Penitentiary; I saw the sick at that time.

From what you saw at that period, do you think that the disease that was then so prevalent, was to be attributed to the change which had taken place in July last?—I beg to state distinctly, that at that time and the last visit I paid, either the end of March or the beginning of April, I saw very little of severe disease; a number of people were presented, but they were all cases, if I had seen them in an army hospital, I should have said they were people that had very little disease about them; I do not mean to say that previously there might not have been disease which I did not see, but those people were recovering from the disease; I did not see a great deal of disease at that time.

Were cases shown to you, that announced the existence of that complaint, which has been spoken of here by the name of the sea scurvy?—I do not think I saw cases which I could correctly characterize as scurvy; I do not mean to controvert the statement of the gentlemen who attended; but I saw them in a state of amendment; I should have said, from my observation at the time, that they must have been all very slight cases of it.

Was there any appearance, at the time you examined the prisoners, of a general decay of health; were their countenances less florid; and were you informed, by the persons that had the care of them, that they were not able to go through the same exertions of labour as they were heretofore?—Yes; I was certainly informed that they were not, and that there was a great debility among them; but I observed at the same time to the two physicians, that for so many sick, (I think I saw 130 or more,) I seldom saw so few sick men with such healthy aspects.

Is it your opinion now, that the illness which has prevailed to such an extent in the Penitentiary has been occasioned, in whole or in part, by the change that took place in the diet last year?—I would distinctly say, that having thought on the subject, and therefore bringing to my recollection all the facts within my knowledge, I cannot attribute it to the change of diet.

You still entertain that opinion?—I do, and I well recollect that I stated at the same time to the two physicians what I thought more likely to be the cause of it.

What, in your opinion, was the cause or were the causes of the disease?—I attribute it to a general cause, affecting very much the population of this metropolis. During the period when so much sickness prevailed at the Penitentiary, there was something, as far as I can learn, of the same proportion of sickness, with an equal mortality, in the general population, particularly among the lower classes; and the fact is very striking in an establishment which is the most analogous—the house of correction in Cold Bath Fields. The mortality and sickness of that prison, in the years 1820, and 1821 and 1822, is upon the average perhaps nine; but, in the three months in question, their mortality, I believe, has been nine. This is a striking fact, but it is by no means a solitary one; it has happened in the parish in which I live, that the mortality in the poor house, and in the parish at large, has been in nearly that proportion.

Which is the parish to which you allude?—Kensington.

Are you aware, that in the house of correction in Cold Bath Fields, towards the middle of the last year, they too changed their dietary, and adopted one upon a much more reduced scale than had existed during any of the preceding years to which you have alluded?—I have heard, within these few days, there had been a change effected; I am not perfectly aware of it. When I last visited the Cold Bath Fields prison, it was without any animal food, except on Sunday, and then six ounces; on all the other days, they went on bread and water.

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Are you aware that, in the Penitentiary, persons who were in the kitchens were not subject to the attack of this complaint?—I have understood that they were much less subject to it than the others; but it appears to me a sort of negative fact, that it is not the diet alone of the people who are in the kitchen; they are, in a certain degree, free from restraint, and their minds and their spirits not in the same state as those people who are more closely confined.

You are aware, that the service of the kitchen is performed by prisoners?—Yes, I am.

And that, of course, their labour being in the administration of food, they have a greater portion of food at their disposal, if they think fit to eat it?—Yes; and likewise, I presume, they are much more at liberty, and walk about, and take more exercise.

Then you would consider, as one of the moral causes, that their having a greater degree of amusement and gaiety, operated as a prevention to this disease?—Exactly so.

When you visited the hospital of the Penitentiary in February last, were any persons legs exhibited to you as showing evidently marks of scurvy?—I cannot bring to my recollection that there were.

Are you aware, that an examination took place of all the legs of the persons in the Penitentiary, in the month of March last; and it was discovered, that between three and four hundred were more or less affected with that complaint?—I have heard that was so.

Have diseases of this nature affected the population out of doors in the same proportion?—I am not aware that disease of precisely the same cast has; but I observed, among the list of diseases prevalent in Cold Bath Fields, affections of the bowels were very prevalent; in former years they amounted to, I think, 200 in the year; and I think, in those three months, January, February, and March, they amounted to sixty, which I call an extraordinarily large number.

Do you approve of the recent change which has taken place in the dietary at the Penitentiary?—I am not able to say that I am quite aware what the change is; I have generally understood there has been a great increase of animal food.

Is it your opinion, that a diet composed of any one thing continued for a great length of time would not be so advantageous to the health of an individual as an alteration of sometimes soup and sometimes meat, and sometimes vegetables, and sometimes bread?—I think there is no fact better established than that such change of diet operates strongly on disease.

And has generally been more conducive to health than any fixed diet you can name?—That involves a question which I am not quite prepared to answer; the increase in the quantity of diet is contingent on so many circumstances.

Do you think that prisoners would be in as good health upon a diet wholly farinaceous, as upon a mixture of bread and gruel with meat?—I have no doubt of it; I think that in some of the foreign prisons, but certainly in convents and religious houses, where the rules and orders require their using no animal food, they are, I know, in a state of health.

Would climate not tell in that respect?—I allude particularly to the peninsula of Europe, the climate not differing very materially from our own.

Did you ever see any large body of persons, shut up in any prison, that for any length of time had been subject wholly to a farinaceous diet, who were in a state of health?—I cannot say that I have.

Did you ever see the prison near Ghent?—No, I cannot say that I have.

Did you ever see any foreign prisons?—Yes, I have; not very lately I have visited a prison in Paris, and I saw a prison some years ago in the neighbourhood of Brussels.

You are aware that meat and soup are administered in all of them?—Yes.

You went round the Penitentiary with Mr. Holford, on the 14th of February?—I did.

Have you looked into the report of the physicians to see the number of prisoners that were in the infirmaries, on the different days in the month of February?—I saw that report when it came out, I cannot recollect the number, but I know it was very considerable.

It appears upon the report, that on the 14th of February the numbers in the female infirmary were much smaller than on any day preceding or subsequent in that month?—I believe that was so.

You

You went round a part of the prison with Mr. Holford?—I did.

Sir J. M'Grigor.

Was not your observation to Mr. Holford at that time, that though the females looked rather paler than when you saw them before, you perceived no difference in the countenances of the men?—I now recollect that that was my remark at the time.

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The report you sent in to the committee of the Penitentiary, dated the 17th of February, alluded to the visit you made on the 14th, and stated the result of that visit?—It did; I visited four times, twice in the year 1822 and twice in the present year; my letter of the 17th referred to my last visit previous to that, namely, that on the 14th.

Is it supposed in the Peninsula that the people, whom you state to have lived and to have been healthy on farinaceous food, had a plentiful supply of fruit, such as grapes?—That was certainly the case; a part of their diet, one part of the year, was dry fruits.

Were the convents very rigid?—I understood they were very rigid, that the confinement of the females was as close as in any prison.

And that they had as little intercourse with each other?—That I cannot speak to.

Were you rightly understood, when you were supposed to have stated this disease to have prevailed in the workhouse at Kensington?—Not this disease, but sickness.

You consider the whole of this winter as having been remarkably unhealthy?—Unquestionably so, and with a great class of diseases.

From what time to what time?—I should say generally for the first three months of the year.

Have not diseases been generally so severe as to create a mortality which may be considered as unusual?—There has been no sweeping disease, no epidemic, but it has been a general unhealthiness of season as connected with all diseases.

In point of fact, has it not affected surgical cases to such an extent that many operations that have in former years been performed with safety, have been attended this year with great danger?—That I do not know, but I have heard the circumstance stated.

Do you consider that disorder which prevails at the Penitentiary to be contagious or not?—During the course of thirty years I have occasionally seen scurvy, I never have seen the disease contagious, but I am by no means prepared to say that it is not, for when a number of men are congregated together, I am always inclined to the opinion that it is difficult to ascertain whether a disease is or not contagious; the disorder I have very frequently seen contagious.

Is it not a received opinion amongst medical persons, that if a disease is diluted in a manner amongst a great number it may not be contagious, but if at all concentrated, it becomes so?—The more it is diluted or dispersed, the more mild the disease is, that is, if a disease be contagious, the less the space within which it is confined, the more it is extended.

So that you might mix one or two patients in typhus fever in the ward of an hospital with impunity, but if you put five or six it would so concentrate the complaint as to make it contagious?—I believe it is consonant to all observation, that confined in a small space the contagion would be very strong, and if there were a very large area or space in the open air, the disease would be comparatively innoxious.

Andrew Baird, M. D. called in; and Examined.

ARE you not inspector of the naval hospitals?—Not at present; I have been.

Dr. Baird.

Did you fill that situation for any length of time?—For twenty years; combining my appointment as physician of the fleet and commissioner of the sick and wounded board, and the sick and wounded hospitals, twenty years.

During that period have many cases of scurvy come under your observation?—Very many.

From what causes do you principally ascribe that disease to originate?—Long continued use of salted provisions, bad air, moisture, and want of ventilation and cleanliness.

Do your objections to the salted provisions arise from their being salted, or from their not being sufficiently nutritive?—I conceive that salted provision kept for a length of time loses all power of nutriment.

Then, instead of your objection lying to the salt provisions, you would more plainly say, it lay to deficient nutriment as well as moisture, bad air, and want of cleanliness?—I think so.

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Should you consider it as not only deficient in quantity but deficient in quality?—I consider that the quantity is ample, and that the quality is good, but that the uniformity was not that which would maintain health.

The Committee understand you to mean, that the bread and the two gruels and the soup per day, given for six months together without change, was not good for their health?—Certainly not; that is my meaning.

What alterations should you suggest ought to be made in that respect?—I would suggest an alteration taken from a comparative dietary in other institutions, where the people continue in health, many of them having the same dietary for seven ten or fifteen years.

Are you speaking now of persons who are subjected to confinement, or who have the liberty of going about and seeing their friends and relations, and amusing themselves with the pleasures and comforts of life?—Certainly, in a great degree, in confinement.

To what class of persons do you allude?—To those confined in workhouses.

Have you any particulars to give to the Committee, to illustrate that statement of your's?—I have here an abstract of the dietary of the workhouse of Saint Margaret's and Saint John's; many of those people have been, for a vast number of years, inmates of that establishment, and have very little exercise beyond that which is allowed to the convicts at the Penitentiary, they are rarely without the walls; and to a workman and workwoman who are constantly employed in the place, there is an allowance of thirty-two ounces of animal food during the week, that is eight ounces four days in the week, those are the people who are constantly employed; the ordinary diet of men and women is twenty-four ounces, the quantity of animal food allowed to men and women in ordinary, is eighteen ounces, six ounces three times a week, weighed after dressing; the working class have from thirteen to fourteen ounces of bread per day each, the other classes from eleven to twelve ounces; on the intermediate days their dinner consists of pea-soup made of the liquor in which the beef had been previously boiled, and mixed with which is a large quantity of garden herbs, turnips, carrots and celery; and gruel for breakfast; now I would beg to observe, that although this diet has never been changed, except in the alteration of the bread, from brown to white, that still this disease, the scurvy, every now and then makes its appearance among them.

Has that dietary been established any considerable length of time?—The master of the workhouse has told me it had been established upwards of twenty years.

Is the general state of the health of the persons in those workhouses good?—Yes, the general state; there is a great proportion of old and infirm people, but the young are generally healthy.

Have you never heard of or seen any disease that has broken out amongst them that might fairly be attributed to the dietary?—Certainly not.

The Committee understand you to say, that one of the traits in your dietary consists in the change?—Certainly.

In the alternation of meat and farinaceous roots?—Yes, certainly.

Is it your opinion, that what is called household bread or brown bread, is apt to act as a purgative upon persons who live upon soup diet?—I should think it would rather act as a purgative than otherwise, but not to any great degree.

White bread contains more nourishment than brown?—Yes; and I do conceive that the bran not sifted from the flour acts mechanically upon the bowels; from being refused to be taken up by the vessels in the stomach, it passes through the alimentary canals still bran, and produces a tendency to diarrhœa.

In those workhouses and in your own practice, have you used the citric acid as a cure for the scurvy?—Yes, I have.

In your practice have you found it as great a specific as you have just heard it stated to be?—My practice necessarily has been very limited, compared with that of Sir Gilbert Blane, but I do consider it a powerful antiseptic, and also an antidote of the kind described; but I would also observe, that there are many other vegetables useful, though not to the same extent.

Has it been much used in the Penitentiary during the late illness?—After Doctors Latham and Roget were introduced, they gave it a full trial, but the diarrhœas were increased by it, therefore it was discontinued.

An opinion has been stated to the Committee, that it was not unlikely that the transition from the diet that had continued from July last until the time that Doctors Roget and Latham were called in to a meat diet, was likely to have caused that diarrhœa, independently of that scorbutic affection; is that your opinion?—Yes it is; I have

I have for some weeks entertained that idea, that the sudden return from the diet which commenced in July last, and was changed in March to an animal diet, was mainly the cause of the diarrhœa that has since arisen.

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You would consider the generality of the cases existing as not diarrhœa connected with scurvy, but owing to change of diet?—Yes, certainly I do; because we have had so many new cases lately of persons who, during the whole winter and spring, were in perfect health, in the latter days have been sent to the infirmary with bowel complaints.

These cases not being cases of scurvy, this citric acid could have had no effect?—None whatever.

Further than doing mischief to the bowel complaint?—Yes, where the citric acid would have been very injurious, there is no doubt there has been scorbutic diarrhœa in the Penitentiary, but the latter cases are not of that description.

Was the lemon juice tried in cases of scorbutic diarrhœa?—Yes, it was, and it increased the disease.

Is it your opinion that this disease is at all infectious?—I have been disposed to think so lately.

Is the circumstance of persons going to the same privy, likely to give it to each other?—I think that which is called in ague miasmata, the atmosphere around the persons affected may communicate it to others.

Do you know whether the officers of the prison have been affected by it?—I heard of one or two of the children being affected by it, but not the officers.

Do you happen to know, that three of the turnkeys, using the same privies with the prisoners, have been affected with it?—Since the question has been asked me, I recollect now, perfectly, that three or more of the turnkeys had it.

Has the diarrhœa affected any of those prisoners newly come into the Penitentiary?—That question I cannot answer.

Those upon whom the long confinement, and the scorbutic disorder of the winter, cannot have operated?—I have not heard of it.

Do you happen to know, whether any of the prisoners that came in about the 17th of February have been affected by this complaint?—I cannot answer that.

Are diarrhœas in general considered as infectious?—No, they are not; the diarrhœas of dysentery are decidedly infectious.

Is there any thing in this diarrhœa you would class among dysenteries?—Certainly not; from the observations I have had an opportunity of making of the evacuations, there are none of the ordinary marks of it.

From what you have seen of the Penitentiary, do you think the disease is on the decline?—Certainly; we have not a single spotted case in the Penitentiary now, nor have had in the last two months.

Upon going round the Penitentiary, do you see any visible alteration in their appearance?—I think, since the spring has returned and there has been a full diet, there has been a better aspect generally.

Prior to the disease breaking out in January and February last, was your attention directed to the look of the prisoners after they had been subjected to the new dietary?—I was never consulted upon it.

Do you think any part of the prison is damp?—I have not seen the slightest degree of damp any where; on the contrary, it is peculiarly dry and well aired.

You have mentioned the word scurvy generally, is that similar to the sea scurvy?—I have had but a few cases of persons who had come from on board of ship, and it bears a great similarity to the disease that now exists in the Penitentiary.

Do you think the taking down the walls in the court yard would materially improve the airiness of the court yards?—I was through the yards at an early hour this morning, and having heard that question asked yesterday, I was particularly attentive, and there appeared to me no necessity for it; the walking yards are much more ample than they are in many private schools; the walls are not above eight feet and a half high.

Did you happen to pace the yards at all?—No, I did not; I measured them with my eye, and the surrounding building, I should think is thirty feet high, but from the great space there is, there did not appear to be any want of circulation of air.

Are you acquainted with the degree of exercise the prisoners have?—I made particular inquiry as to that.

Do you think it has been sufficient to preserve the health and strength of the prisoners?—I should think quite so, it is more than I thought it was; there is at

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this season of the year nearly three hours a day ; I calculate that a person may eat his meal in twenty minutes, and there are three times forty minutes to walk in.

Do you think the second class have sufficient exercise ?—Certainly ; I say certainly on this ground, that I am well aware that in various institutions, not prisons, persons remain in perfect health who have not so much exercise.

For the same term of years, from ten to four ?—Certainly not ; but I consider the second class have ample exercise to keep them in health.

Have the second class the same exercise as the first, barring the working at the mill ?—They have all the same exercise at this moment ; what it was previously, I cannot say.

A dietary has been given in to the Committee this day, which is in use at Devizes, and which consists as follows :—“ One pound and three-quarters of the best wheaten bread, one pint of oatmeal gruel, with salt, and one pound of potatoes, per day. On Wednesdays and Fridays, in lieu of potatoes, one pint of vegetable soup.”—Is that sufficiently ample, and the change of diet sufficient to maintain health ?—I should think this altogether an unfit diet.

Suppose it was told you, that persons who have been subjected to that diet for six months, or twelve months, or two years, had increased in weight under it, would you consider that a sign of their having kept their original strength ?—I conceive that all animals, if I may be allowed the expression, put into a state of confinement, will get fat upon a very little food ; and I do believe this diet would, in young and healthy people, fatten them for a time ; but it would not be permanent.

You would consider that persons subjected to that diet for two years, though in appearance they might be healthy and fat, in reality they would have lost ground and strength during the time they had been in prison ?—I beg to answer, that I do conceive they would accumulate a great quantity of fat, but be deficient in muscle.

Have you any other observations to make ?—There is an observation I have omitted, and which has a reference to the diet which has latterly been established—the return from the soup diet. It had been frequently observed in the workhouse, that among children more especially, who had been out at nurse and fed upon a vegetable and broth diet, when they return to the house, for a considerable time vomitings and diarrhœas took place among them, evidently caused by the return to a meat diet.

Peter M. Roget, M. D. called in ; and further Examined.

Dr. Roget.

HAVE you since you have been medical attendant at the Penitentiary, given the citric acid to the persons who have been attacked by disease within its walls ?—We gave lemon juice very extensively to patients in the infirmaries, labouring under scurvy in all its forms ; and the result of our experience was, that the bowel affections were much aggravated by this remedy, and in consequence we discontinued it. We also gave lemonade to convalescents from this complaint, but we found it brought on a return of the affection of the bowels, and we were forced to abandon this altogether. Mr. Hutchison had given lemonade to a few patients, previously to our being called in, and we continued the practice at his suggestion ; but experience obliges us to discontinue it.

Did you find that those persons who had decided cases of scurvy and diarrhœa, that their bowels were affected by giving the lemon juice ?—Generally they were.

And even in scurvy cases, you were obliged to abandon the treatment from those causes ?—Where it was connected with the affection of the bowels.

The Committee have heard there are many cases of diarrhœa in the Penitentiary, that had no connection whatever with the scorbutic attacks ; is that so or not ?—It may be the case in some instances, but it is difficult always to determine whether the diarrhœa is connected with the scurvy, unless it is accompanied with certain symptoms.

The Committee allude to cases in which there is no scorbutic symptom ; cases of simple diarrhœa ; in those cases you would consider the giving lemon juice as likely to increase the disorder ?—I should think so, from the experience I have had in the Penitentiary.

Have you found giving oranges advantageous, or have you been obliged to abandon that ?—We have been obliged to abandon the use of oranges with many of the prisoners who had affections of the bowels, in consequence of finding it aggravated the symptoms.

There were a considerable number of convicts sent to the Penitentiary some time in

in February, about the 17th, do you know whether any of them have been attacked with the disease?—A few have.

Has the disease been an attack of the scurvy, or a simple diarrhœa, to which the prior question alluded?—In a few, there had been scorbutic appearances on the legs; in others, merely diarrhœa.

How long were those persons subjected to the old dietary?—A fortnight only.

Do you consider those persons as having brought the disease with them into the prison?—I believe that was the case with several.

You do not think that they could, in the short period of a fortnight or three weeks, have contracted the disease of scurvy from the dietary to which they were subjected?—I think they could not.

Supposing that that opinion is at all correct, that the disease is contagious, might they not have caught it?—Certainly.

From your observation, have you any doubt upon your mind upon the subject, whether it is contagious or not?—It is difficult to speak positively on the subject, but I have no distinct evidence of contagion having operated, and I do not believe it contagious at this moment.

Are you aware that three turnkeys, using the same privies with the prisoners, are labouring under diarrhœa?—I have been told so.

You have just been told, that three of the turnkeys are labouring under the case of diarrhœa, using the same privies as the prisoners, do you think that they might have caught that disease from that circumstance?—I think they might, if the disease was contagious; but it would require a considerable number of facts to establish the contagious nature of the disease.

You would not consider the cases of three persons, under all circumstances, as sufficient to establish that fact?—I should not think it sufficient.

Have there been many new cases of diarrhœa since the change of the dietary?—There have been many.

Do you consider, that the transition from the old dietary to the new is likely to have produced those cases, independent of any scorbutic attack?—Possibly they may; but I beg to observe, at the same time, that the change has been gradual; the change I mentioned on a former occasion was not made all at once, but at different times different parts of the dietary were changed.

To what cause should you attribute the new cases?—It is very difficult to determine the exact causes?—I should think a great many instances arose from the constitutional disarrangement that had been produced by low diet.

You would consider the disease as having been latent, and lately broken out?—Yes.

In your former evidence there is a mistake?—Yes, there is; I am made to give an answer contrary to what I meant to give, in page 11*, to the question, "You imagine that absence of exercise, combined with cold, is one of the material causes of this sickness?" I am made to say, in the latter part, "I do not consider the exercise in the Penitentiary to be sufficient," I meant to say "insufficient."

Have you seen the prisoners in Cold Bath Fields at work at the tread mill?—I have.

Have you also seen the prisoners in the Penitentiary work at the crank mill?—I have.

Do you consider the exercise of one of those mills better, or more for the body than the other?—I consider the exercise at the Penitentiary as exercising the muscles of the body more than the exercise at the tread mill.

And while it lasts infinitely more severe?—Certainly.

Are you acquainted with the dietary of the turnkeys, how they live?—I am not.

Their diet is plenty, whatever they choose?—I suppose their is no restriction.

Have you ever found any difficulty, in cases of sickness, in applying to the proper authority, in obtaining the nourishment or medicine you thought necessary?—No difficulty whatever, but on the contrary, the greatest facility.

And even wine, if necessary?—Yes, where it was ordered.

Are you of opinion, that any citric acid exists in oranges?—I am of opinion it exists in oranges, but not in an equal proportion to lemons, in proportion to ripe oranges.

Mr. John Godwin Johnston, called in; and Examined.

HAVE you attended Norwich gaol lately?—I have attended, as assistant to the surgeon who holds the appointment of surgeon there, Mr. Scott.

Dr. Roget.

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* of the Minutes as first printed for the use of the Committee: It is now corrected; see p. 26, ante. ✓

Mr. J. G. Johnston.

Mr.
J. G. Johnston.
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Were there any cases of scurvy amongst the prisoners in that gaol?—Yes, there has been a few cases of scurvy this spring; I might say the winter, I do not exactly remember the date; I think they began the latter part of January or beginning of February.

Has your attendance been limited to this year, or have you been attending there frequently?—I have been with Mr. Scott ten years, and been in the habit of visiting occasionally.

Did you ever see cases of that kind before in Norwich gaol?—No, I did not.

To what should you principally attribute its existence in this winter?—It is difficult to say; there were only five instances; the operations of the causes are so different on different men; I have seen the causes attributed by Drs. Roget and Latham, and I recollect it occurring to my mind that they might have operated in our gaol, on a smaller scale; their friends are allowed to bring them in food in this prison, and one of those men was notorious for being well supplied; one man was decidedly so; on asking the people round what food he had, I found he was remarkable for having a very good supply sent to him once in a week.

What was the ordinary food?—The allowance to prisoners by the county is two pounds of best wheaten bread; cheese once a week; I do not know the quantity.

Had those persons been long prisoners, or were they for trial?—I believe they had been all tried.

House of Correction prisoners?—They had been riotous, and sentenced to imprisonment for a year or two.

One of them was tolerably well supplied with provisions; were the other four in the same situation?—They were not so; on asking the question of the man who inspects the food, he told me they were not; one or two of them were scantily supplied by their friends.

It is your opinion, then, that the causes which operated in the Penitentiary, according to your observation, in creating the disease there, operated equally in creating the disease in four out of those five cases?—I should say, that all the causes mentioned there cannot be necessary to produce the disease; perhaps one particular cause abounding very much, may be sufficient to produce the disease, one cause being wanting, because one man had a sufficient quantity of food, and was not much exposed to the cold.

Was not it possible that that disease might have been so strongly in his habit, as to be easily called forth by any change in his ordinary mode of life?—It might be so; he was an old man, of superannuated years.

Was he a labouring man?—I cannot say that; I should think he was a labourer, from the circumstance of his coming there.

Have you been round the Penitentiary?—Yes, on Saturday.

Was the appearance of disease in the Penitentiary at all similar to that of the five cases to which you have referred at Norwich?—Similar it was in a degree; they had petechiel spots; but these men had ecchymosed legs, and in the other parts petechiel spots.

You should say, that the disease at Norwich was in a more aggravated form?—Yes; or that the other was very mild; they were getting well.

What was the treatment they were subjected to?—Principally administering the citric acid.

Did you find that successful?—Yes, we did.

Any oranges?—Yes; they were ordered to the persons who were sick.

Was there any diarrhoea?—No.

Under those circumstances, you felt yourself at liberty to administer the citric acid in a good dose?—Yes; I cannot tell the exact quantity; it was administered as a medicine by us.

Is the situation of Norwich gaol low or high?—Exceedingly high; that is, the old castle.

Alexander C. Hutchison, M.D. called in; and further Examined.

Dr. Hutchison.

WHAT difference is there in the quantity of nutriment contained in the original scheme of dietary from that in the scheme recommended by you, and from that in the dietary adopted by the committee in July last?—I beg leave to preface the answer I shall make to that question with a remark or two on the subject of the calculation necessary, to come to a correct account of the three different schemes of diet. It is a question involving much more difficulty, and requiring a great deal more time, than at first sight might appear to be the case, because the diet for the men

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men and women differs, and because the diet differs on one day from another day, and from a variety of other causes, which indeed requires the closest attention and study, to come to any precise point; therefore, with permission, I will read the answer I wish to give.—I beg leave to observe, that the diet in each of those schemes may, on the whole, be considered as resolving itself into two parts; namely, the farinaceous food, and the animal food. It is also necessary to premise, that, in each of the three schemes which have been mentioned, the allowance for one day differed so materially from that of another, both in respect of quantity and quality of diet, that no just comparison of those schemes of dietary with each other can be made, except in reference to the weekly ration which each scheme comprehended. I beg moreover to mention, that, in each of the three schemes, the quantity of diet allowed to a male differed, in some degree, from that allowed to a female, which renders it further necessary to distinguish the weekly ration of a male from that of a female.—First, then, in respect of farinaceous food. The weekly allowance by the old scheme of diet was, to a male, $10\frac{1}{2}$ lbs. of bread, 7 lbs. of potatoes, and 14 pints of gruel or porridge; to a female, 7 lbs. of bread, 7 lbs. of potatoes, and 14 pints of gruel or porridge. By the scheme proposed by me, the weekly allowance to a male was $10\frac{1}{2}$ lbs. of bread, 1 lb. only of potatoes, and 14 pints of gruel or porridge; to a female, 7 lbs. of bread, 1 lb. of potatoes, and 14 pints of gruel or porridge. Lastly, by the scheme adopted by the committee, the weekly allowance of the males was $10\frac{1}{2}$ lbs. of bread, with 7 pints of gruel; and to the females, 7 lbs. 14 oz. of bread, with $5\frac{1}{4}$ pints of gruel: potatoes to be given at discretion in lieu of bread, and when so given, the quantity to be double the weight of bread taken away.—Secondly, with respect to animal food. By the old scheme of diet, the allowance consisted principally of solid meat, with a less proportion of liquid nutriment; *viz.* soup or broth. By careful experiment and inquiry, I am fully certain that the strength of this soup was such as to contain the substance of 24 ounces of meat in every 13 pints of broth. The weekly allowance to a man was 24 ounces of boiled meat, and 8 pints of soup, containing $14\frac{1}{4}$ ounces of meat; in all, $38\frac{3}{4}$ ounces of meat; while to a female there were 24 ounces of boiled meat, and 5 pints of broth, containing $9\frac{1}{4}$ ounces of meat; in all, $33\frac{1}{4}$ ounces of meat. By the scheme of diet proposed by me, the allowance was to have consisted of a small quantity of solid food, but chiefly of liquid nutriment of the very same strength as that in the old scheme. The weekly allowance to a man was 8 ounces of boiled meat, with 12 pints of broth, containing 22 ounces; in all, 30 ounces of meat; while the allowance to a female was 8 ounces of boiled meat, and 9 pints of broth, containing $16\frac{1}{2}$ ounces of meat; in all, $24\frac{1}{2}$ ounces of meat. Lastly, by the scheme of diet adopted by the committee, the allowance consisted entirely of liquid nutriment of such a strength to the males, as contained the substance of 144 ounces of meat in 200 pints of broth, or 18 ounces in every 25 pints; and of this broth each male was allowed 14 pints a week, containing therefore ten ounces of meat. The broth allowed the females was of such a strength as to contain the substance of 144 ounces of meat in every 180 pints of broth, or 12 ounces in every 15 pints; of which broth each female received weekly $10\frac{1}{2}$ pints, containing the substance of $7\frac{1}{2}$ ounces of meat. The Committee will see from this the great difficulty of making the calculation; and at the time when my mind was considerably stretched upon the present business, it is not surprising I should not have made so accurate a calculation as I could have wished.

Did you ever find any difficulty in making any application for nourishment for any person sick?—No, certainly not; wine or any thing necessary for the accommodation of the sick, that I judged necessary, was never objected to by the committee.

Did you order it yourself, or apply for it?—I ordered it, and when the surgeon made application for it, it was immediately supplied, the order went from the surgeon to the steward.

George P. Holford, Esq. a Member of the Committee, further Examined.

YOU are one of the members of the committee for the management of the Penitentiary?—I am, and have been from the beginning in the month of February 1816.

In fact, the Penitentiary opened for the reception of prisoners in 1816?—It did, in the year 1816, in the month of June.

And from that period till the present moment you have given a considerable portion of your time and attention to the management of the affairs of that establishment?—I have attended to it constantly during the meeting of Parliament while

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I have been in town; in the summer I have been absent generally, but have looked in almost every year for some weeks in the course of the summer, when Parliament was not sitting.

Then the Committee may understand you to say, you have attended nearly daily during the whole sitting of Parliament?—Certainly; as much as four or five days a week; and I have also corresponded with the superior officers occasionally during my absence from town.

What time did you leave London last year?—I left London in August a little before Parliament rose; I went to Paris, and on my return I staid about a fortnight in town, and then left London.

Previous to your absence the dietary was established?—It was established on the 4th of July; I was present when it was established.

Did you visit the Penitentiary in September last?—Yes, I did.

What was the state of the Penitentiary at that time?—I knew of no difference in the health of the prisoners, nor did I hear any complaints from the officers or the prisoners.

You heard of no failure in the strength of the prisoners, nor did you hear of any complaints that then made you think their health had diminished?—Certainly of none.

When did you return to town?—I returned to town towards the end of January, I think I was at the committee on the 25th of January.

What was the report made to you of the state of health of the prisoners, on your attendance on the committee?—Previous to my return to town, I had heard from the chaplain and matron an account which led me to apprehend, that the dietary might be doing mischief in the prison, and that the female part of the prison was in a sickly state. I wrote to Doctor Hutchison upon the subject of the sickness, and I received from him a copy of his report to the committee, which is dated the 10th of January, but which I apprehend to have been written by him on the 8th; for the part of the report I received was dated the 8th; in that report there are several observations upon the dietary which led me to suppose it was not the cause of any injury in the prison.

When you personally inspected the prisoners, and made inquiries upon that subject, did you continue of the same opinion as you had formed?—I certainly altered my opinion upon that subject more than once; at first I thought, from the representations of some of the officers, that the prison was suffering from the dietary; but the committee of the Penitentiary desired Sir James Macgregor to go round the prison, as will appear from some of the papers laid before this Committee, and when I went round with him on the 14th February, I was led to believe, that it was not doing any injury to the prisoners, and that the sickness was diminished; it happened that on the day we went round, the numbers in the infirmary were much less than they had been before, or than they were very soon afterwards; I allude now to the female infirmary; the number of male prisoners sick had not been at any time very considerable. Sir James Macgregor's opinion was, that there was no cause of alarm in the prison, and no injury resulting from the dietary. He observed that the women looked rather paler than when he had visited them before in the last spring; but at that time they had looked too full, and that therefore it did not from thence follow that their appearance was unhealthy at the time he now visited them; the appearance of the men did not strike him as differing from what it was when he saw them in the spring preceding.

It is stated in the Report of the Committee of the General Penitentiary at Milbank, which was ordered by the House of Commons to be printed on August 17th, 1822, that the new dietary was established in July last, upon the best medical opinion; who was the medical person consulted upon that subject?—Sir James M'Gregor was consulted upon that subject.

The disease instead of diminishing as you thought it was about to do, in the middle of February, did it not increase very much shortly afterwards?—It certainly did.

What is now your opinion as to the cause of that disease?—From the information I have since received from the officers and the prisoners, I apprehend the disease to have been lurking in the prison for a considerable time previous to its breaking out; and as it affected the prisoners only, and the prisoners only this year, I cannot help thinking, that the change of dietary, which is the only alteration that has taken place in the prison during the last eight or ten months, must have been in a considerable degree the cause of the sickness; I apprehend the sickness does not arise from the situation

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situation of the prison, or from cold, or from want of air or exercise, or from dejection or depression of spirits.

First you state, you do not think the situation has any thing to do with the sickness, be so good as to state to the Committee the ground of that opinion?—The prison has now been opened nearly seven years; up to the end of last year it has been extremely healthy; the number of deaths among the prisoners will turn out on inquiry to be about three to a hundred in a year. But besides the prisoners, there are several families of the superior officers living in the prison; the first and third governors (we have now a fourth governor) had large families of children; the chaplain has a large family, and the master manufacturer has also children; there are besides a steward and matron living in the Penitentiary, who have servants, and in no one of those families has a single death taken place, from the opening of the prison to the present time.

Though there might not be deaths take place, has the hospital been generally full or empty of prisoners?—I am no judge of the proportion of the sick that ought to be found among a number of prisoners; but I have never understood, that the numbers in the infirmaries were greater than might have been reasonably expected.

There has been no illness among the officers of the prison, or their children, that could in any degree be attributed to the situation in which they were placed?—I apprehend certainly none.

Have you known any case of ague in the prison?—I think there has been only one case of ague.

Can any part of the prison be considered damp?—There is no part of the prison with which I am not intimately acquainted, and there is not the slightest appearance of damp in any part of it.

How is the prison warmed?—The prison is warmed in three different ways. In the first and second pentagons, stoves in the passages and hot air are employed; there are two stoves in each of the four lower passages, occupied by prisoners, in each of those pentagons, and those stoves warm the middle story. We do not profess to warm the upper story at all; but some heat does make its way there. The second and third pentagons, occupied by the females, are warmed by a steam apparatus, which is attended by a person acting on the outside of the building. The fifth and sixth pentagons are warmed by a contrivance for supplying hot air, of the nature of a cockle, placed under each of the first and third towers at the angles of the buildings, which contrivances communicate heat to the four lower passages, and to the four middle passages; and a quantity of this heat escapes into the upper passages. There is a part of the fifth and sixth pentagons colder than the rest; it is known by the name of ward B.; in each pentagon it is the middle part of the lower story, part of the two middle passages being separated from the other parts of the passages in that story by partitions, with only small apertures in the partitions which divide this ward from ward A. and C. through which the heat makes its way into that part of the prison. It was thought, at the time these pentagons were first opened, that this ward would be sufficiently warmed from the other wards A. and C.; but there are preparations for a stove in the towers adjoining to this ward, in each of those pentagons, if required; and it will probably be thought right to place such a stove in this part of each of those pentagons in the next winter.

Having explained the three different modes by which the different parts of the Penitentiary are warmed, do you think that they all answer the purpose of conveying sufficient warmth to their respective parts?—I believe they do; I am not aware that many complaints have been made of cold this winter; there were very great complaints in the part of the prison occupied by females, soon after that part was occupied, some winters ago; the steam apparatus was not sufficiently powerful as it was then erected; but additional tubes for steam were afterwards placed in some of the passages in the prison; and I believe that, since that time, very few complaints have occurred. I state, that I apprehend this disease does not arise from cold, because, in the course of the winter, during which those complaints were made, and the cold was greater than it has been since, no such disorder as the present occurred; and I also state, that I conceive cold not to be the cause of the disease, because wards B. in pentagons 5 and 6, which are the coldest, are not particularly sickly.

Have the prisoners been subject to chilblains?—I am not able to answer that question; I am not aware that many of them have been prevented from working by chilblains.

Have any complaints ever been made to you, that the persons were unable to work

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in consequence of chilblains?—I am not aware that such complaints have been frequent; they may have been made occasionally.

Do you think that all parts of the prison are sufficiently ventilated, and that there is a sufficient current of pure air through the whole of it?—I believe the Penitentiary to be ventilated in a very remarkable degree; it is a narrow building, about $17\frac{1}{2}$ feet in breadth, consisting, in all the parts of the prison, (except on the upper story of the pentagons 3 and 4,) of a single row of cells and a passage, and there are windows on both sides of the building. There is also a communication from each of the cells up into the roof, to carry away foul air; and, as far as I can judge, from the opinions of those with whom I have gone through the prison, it is remarkably well ventilated.

Have you never found any noisome smell in the prison?—I think the prison is particularly free from offensive smells; the privies are all waterclosets, and there is a constant supply of water.

You have stated, that you do not think this disease has at all originated from any want of exercise, what is the exercise that each class has, beginning with the first?—The first class, prisoners, in the winter time, work in two pentagons at mills, and in two others at the machines for raising water, twice a day; they work twenty minutes at each turn, and then walk for ten minutes in the yard to cool themselves, before they return to their cells; in case the mills should be in a state not to be used, while the stones are dressing, or should be in any way out of order, the prisoners would walk in the yard during the time they ought to have been regularly employed at the mills.

Now as to the second class?—The second class had, till lately, in the winter, only one hour for dinner, air, and exercise; they generally come out of their cells from a quarter of an hour to twenty minutes after one, then they walk till two; in case of bad weather, they walk in the passages for the same time; but from the 26th of February last, the second class have been allowed to walk from nine to half past nine in the morning, their breakfasts being given out in time to be over by nine; the females are upon the same footing, as to exercise, with the second class of males; in the summer time, the first class men work twice at the machine or mill for half an hour each time, they walk ten minutes to cool themselves after each turn, and then have forty minutes more walking before they are locked up for the evening; the second class have the same exercise they have in the winter time, from nine to half past nine, and between one and two o'clock, and they have an additional hour from five to six, for a part of the summer, and from six till seven for the other part.

Do you think that the second class, as well as the first class, have sufficient exercise to keep them in health and strength?—I think they have sufficient; but there would be no harm in their having more; and the necessity of grinding more corn, in consequence of our having to provide white bread instead of brown, will make it not inconvenient for them to have more exercise; a scheme is now under the consideration of the committee for erecting two additional mills, and for adding to the machinery now employed in raising water, so as nearly to double the exercise now given to the male prisoners.

Would not, generally speaking, the second class like very much to be employed in the mill; could you not get a great number of volunteers in a day for that purpose?—They certainly would like it; for very lately, since the prison has become sickly, we have been glad to avail ourselves of the labours of the second class, and the men willingly consent to work in raising water; of course, under the present regulations, they could not be so employed without their own consent; but it will be a part of the new plan to employ the second class at the mills and water machines, as well as the first. The reason why I stated that I did not apprehend the disorder now prevailing in the prison to have arisen from want of exercise is, that the prison has been for six years healthy, with the quantity of exercise now allowed, and even with less exercise for the first class, previous to the time when the mills and machines were put up; and also that the sickness has been most prevalent among the females, who have as much exercise as the males of the second class, and for whom I should suppose less exercise would be sufficient, inasmuch as women are generally of more sedentary habits than men.

Do you think that what are known generally under the name of moral causes, are likely to have produced any effect?—The principal of those causes are depression or dejection of spirits, and I do not believe this prevails to any considerable extent in the Penitentiary; I say this partly from observation, and after having been for
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several years in communication with the prisoners for a considerable part of the year almost daily; and partly because I do not apprehend that there would be any reason prior to experience to suppose, that dejection or despondency should be common in the prison at Milbank. I apprehend the most frequent causes of despondency and dejection out of doors, to be the want of occupation, and that lassitude of mind which succeeds to the excitement occasioned by the use of spirituous liquors, or by a very great degree of exertion; depression of spirits arising from a mistaken view of religion, from remorse of conscience, or from the sorrow occasioned by the alienation of friends, or by the loss of credit and character, is certainly very likely to arise in the Penitentiary; but I conceive the chaplain is the best antidote to dejection proceeding from causes of this kind, and the chaplain is always at hand; if the prisoner labouring under this evil should not send for him, the constant inspection to which the prisoners are subjected is such, that the chaplain would be immediately informed of any prisoner appearing to be much out of spirits, by the officers in charge of him. The prisoners are also liberally supplied with bibles, and with that class of religious books which is calculated to excite hope rather than despair. It should also be observed, that the prevailing sickness has been most frequent among the prisoners of the second class, who associate together during the whole of the day, and whose minds may be considered as likely to be cheered by the hope of a more speedy release than can be expected by the prisoners of the first class. For these reasons I apprehend, that dejection or lowness of spirits is not likely to occur to any great extent in the Penitentiary, or to have been the cause of the present disease.

From your observations among the second class, is there that general air of cheerfulness which you find among those who work out of prison?—I think their spirits are generally pretty even; never very high, nor ever much depressed; neither mirth nor sports of any kind would be allowed. There is nothing in the prison of the nature of solitude, properly so called, even among the prisoners of the first class, who are kept separate during the day. The wooden doors of the cells are generally open, and the prisoner is allowed to come out at any time if he has occasion to go to the privy; there is generally a wardsmen going about the ward, and an instructor passing from cell to cell, to give the prisoners instruction in manufactures; they also stand at their cell-doors at certain times to hear portions of the scriptures read, and occasionally come out to school, and they are taken up and down to and from the court yards two or three times a day; under those circumstances there does not appear to be any thing like solitude, in the sense in which that term is used generally.

The first class walk two and two round the court together, for a couple of hours each day?—In the summer they walk for forty minutes, besides the two walks of ten minutes each after their turns at the mills, or water machines; when they walk in the yard they walk two and two; they are not allowed to talk loud; they are allowed to take a book in their hands and read, if they think fit.

Do they walk two and two according to their own free will, choosing the person with whom they walk, or are they confined to any particular comrade?—There is no distinct rule on this head, but they are certainly not allowed to choose their companions generally; the only rule in the regulations of the prison upon that subject is, that they shall walk as the governor shall direct.

And, of course, in his arrangements he takes care that those persons shall walk together who would rather improve than injure each other?—It is very much regulated by the task master, unless a particular appeal is made to the governor; there may sometimes be reasons why particular prisoners should not walk together.

How long are persons generally kept in the first class?—The rule prescribed by the Act of Parliament is, that a prisoner should remain there for one-half of the period for which he comes into confinement; but it very seldom happens that any prisoner remains in that class so long, unless he is a very bad prisoner.

In life cases commuted to ten years confinement, according to the Act of Parliament, every prisoner is in the first class half the period of his imprisonment, subject to this discipline?—According to the provisions of the Act he would be so, but there is no case of any person having remained so long.

It is in the discretion of the committee to remove them or continue them, according to their conduct?—Yes; and it is also in the discretion of the committee (a discretion which is very often exercised) to remove them back to the first class, if they misbehave.

Is that considered one of the most heavy punishments?—It is.

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The removal from the first class to the second is one of the greatest rewards?—It certainly is.

Has it ever occurred to the committee to establish any thing of the nature of a treadmill in the Penitentiary?—It has not: I do not know that the subject was ever considered in the committee; but as I was one of the supervisors employed to build the prison and to set up such mills as were necessary, the subject was considered by me, it was, however, before the treadmill was much in operation; I think the treadmill a very useful invention, particularly suited for county prisons, or prisons where it is wished to employ prisoners for a long time together out of doors; it is tedious tiresome work, but considered as a means of exercise, I do not apprehend the treadmill to be any thing like so good as the crankmill; the principle on which the Penitentiary was established was, the separation of the prisoners from each other in as great a degree as might be possible; the only purpose for which the prisoners are brought together in the court yard is for exercise, and for exercise I think the crankmill answers much better than the treadmill; the treadmill very seldom makes those who are employed at it perspire, at least those I have seen upon it, after having worked a certain number of minutes, have come off and sat down in the open air, it would not be consistent with the health of the prisoners employed in the crankmill to sit down in the yard, or to return to their cells, without first walking about to cool themselves; I apprehend, therefore, that the exertion used at the crankmills is much greater than that produced by the tread mill; there is also another reason why I should consider the crankmill as preferable in the Penitentiary; the disorders most likely to occur from confinement in a prison where persons are confined closely, is the scrophulous enlargement of the glands under the neck, and that sort of exercise which brings most into action the muscles about the chest and shoulders and arms, is much more calculated to prevent this disorder than that which acts principally upon the muscles of the leg. I am also inclined to doubt whether, after a man had been for several years employed upon the treadmill, his muscular strength would not be, in some degree, transferred from his arms to his legs.

Are those complaints you have referred to in the glands of the neck, common complaints in the Penitentiary?—There are many cases of that kind, and I apprehend that scrophulous disorders will frequently break out among persons who change from intemperate habits to temperance, and are subject to much confinement.

Have you often changed your governor since the establishment?—We have now a fourth governor. I should observe, that in a prison of a new character, and regulated on a very complicated system, in which we attempted to combine strict discipline with manufactures and moral and religious instruction, none of which (*i. e.* neither discipline, manufacture, or moral and religious instruction) had ever before been carried to the same extent in any other prison, it was not likely that we should easily suit ourselves with a governor; we could not expect to find any person in any other prison, whom we could transfer to the government of the Penitentiary, and accordingly we were obliged to take our chance among the most eligible persons that offered without experience. I believe the first governor expected to find his situation a much better place than he found it, in point of emolument, and did not calculate upon the degree of activity to be expected in a person at the head of such an establishment. I cannot recollect how long he continued with us, but it was not very long. The committee did not consider the second governor as having those habits of mind, particularly those habits of conciliation which are required in a person at the head of such an establishment; the third governor though not so high in rank as could have been wished, was when first appointed, not unfit for the management of the prison; we endeavoured to get persons of higher rank, but having failed in one or two negotiations upon that subject, we took the person to whom I allude; some time after he had been in the prison, he was seized with an affection of the brain and had an illness, which for a time made it necessary he should give up his charge, I believe for about a month or five weeks, and I do not think after that time, he was ever capable of the same degree of activity which he exerted before; as he has lately left the Penitentiary, I think it but justice to him to say, that there was no imputation upon him, of any want of integrity, or of having acted in any other manner than according to the best of his judgment; a want of sufficient activity was the only fault which the committee imputed to him.

How many committee men originally were appointed?—By the Act of Parliament the number is to be between ten and twenty; the principle upon which that committee should be formed, was laid down in the first Report of the Committee on Penitentiary

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tentiary houses, made by a Committee of this House, in the year 1811, and it was particularly stated in that Report, that it would be proper to appoint the committee annually, in order that such gentlemen as might cease to take an interest in the concern, or might discontinue their attendance from any other cause, might be left out without any offence; the committee has not been appointed so often as annually, we have had three or four different committees appointed since the prison opened.

Have many persons resigned the situations they held?—I know of no persons who have resigned from differences of opinion or disgust, though I suspect this to have been the case as to one resignation, I do not know it, but there may be one person who has resigned lately in consequence of not being satisfied with the state of the prison; I recollect all the members who have been left out of the last appointment, and the causes which induced the secretary of state to leave them out, except in one instance, one had quitted London, one had taken an office in London which made it impossible for him to attend, a third had lost an assistant in his office, and said that he could not conveniently attend the committee, he had never in fact been there; one of the first persons who left us, after the appointment of the first committee, in February 1816, was Lord Colchester, who had given more attendance than, considering his parliamentary duty, was consistent with the state of his health; Sir Archibald Macdonald quitted us in 1821, finding it inconvenient to attend, from age and infirmities, and ceasing to be much in London; Mr. Bathurst has also retired into the country; some members have been appointed who never attended; I think I could account for the omission of every person whose name has been left out of the lists, subsequent to the first list, except two, and I do not know the causes of their being left out.

With respect to officers, have you been obliged to change the subaltern officers?—We have had three matrons; the present matron has been in the service of the establishment from its commencement, but was originally in an inferior situation. In a very large establishment of inferior officers, it is necessary to make changes frequently; exercising a very strict discipline over the prisoners, it is necessary for us to observe much strictness in regard to the officers; the chaplain has never been changed, but some alteration has taken place in the medical arrangement since the opening of the prison.

State the nature of that alteration?—When the prison was first opened, it was a very grave matter of consideration in the committee, whether they should have a resident medical gentleman, and it was thought to be absolutely necessary that we should have a professional person residing within the walls of the prison; if we had not such a person, and any prisoner should be taken suddenly ill (should have a fit for instance) in the night, very great inconvenience would result from the governor's being obliged to send to Westminster for a medical man; or a prisoner might sham illness for the purpose of throwing the prison into confusion; on the other hand it was clear that we could not give a sufficient salary to induce a person of high standing in the medical line, to give up all other practice; we thought it was better on the whole, to have such a medical resident as we could afford; and we endeavoured to supply the want of more able assistance, by having a consulting physician, and a consulting surgeon, who acted gratuitously; Mr. White was the consulting surgeon and Dr. Hutchison was made the consulting physician; Dr. Hutchison paid a good deal of attention to the establishment, much more than was contemplated when his appointment was made; and after he had acted as consulting physician (but doing a great deal more than was expected from him in that character) for three years, I think it was about the month of May 1819, it was intimated that Doctor Hutchison would take the medical charge generally of the prisoners over the surgeon, Mr. Pratt, for a salary of 200 *l.* a year; whether this amount of salary was named by Doctor Hutchison or any of the committee, I do not at this moment recollect; I have seen it stated that a salary of 300 *l.* was offered to him, but I am not aware of that circumstance. I think Dr. Hutchison's services would not have been at all overpaid by that salary, but I should not have chosen to propose it to the committee, because I doubt whether they would have been prepared to give so high a salary, or whether Lord Sidmouth, whose approbation was necessary, would have allowed it, especially as the number of prisoners was then very inferior to what it is now; from that time Doctor Hutchison has acted as principal medical superintendent, which word was chosen to avoid the use of the term physician, as Doctor Hutchison does not act in that character in London, though he has taken out his diploma. The master manufacturer is the second person of that description we have had since the opening of prison, the first was a very young man, and his conduct was not thought steady enough for the post he occupied.

Veneris, 30^o die Mai, 1823

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

*Sir James M'Grigor, M. D. called in; and Examined.**Sir J. M'Grigor.*

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WERE you consulted at any time in the year 1822, upon the subject of the dietary in the Penitentiary?—I attended twice, I think, in 1822, in consequence of a letter I got from Mr. Bathurst the 22d of March.

Did you then examine what the dietary was as then existing in the Penitentiary?—I examined it at both the times; the dietary I examined, and the state of health.

The Committee understand you to say, you examined the state of health of the prisoners, as well as the dietary by which they were maintained?—Yes; the greater part of them.

First, as to the state of health; what was your opinion of it at the time you examined them?—I found them in a very high state of health; but that the prisoners were plethoric, particularly the female prisoners.

To what did you attribute those appearances of plethora?—I thought that the diet was too full for them, taking into consideration their confinement, the very little they were called into action, and the little required of them.

So that you thought, that from the sedentary occupation, particularly of the female portion of the prisoners, the diet was too full as tending to plethora?—Precisely so.

Did you recommend that any change in that diet should take place?—I did; and I wrote a letter to the committee of the Penitentiary, dated the 27th of April 1822. [Vide Papers (A) p. 333.]

Did you, having given in that dietary on the 27th of April 1822, make any change yourself in that plan of dietary, or did you see any other plan that had been made by other persons?—I made no change myself, but a change I believe was agreed to by the governors of the Penitentiary, and that change was mentioned to me by an honourable member of this Committee.

Did that change meet with your approbation?—I did not see any thing objectionable in it; I believe I expressed myself so at the time; it was not what I had recommended.

If the letter is rightly understood, which is now before the Committee, of the 27th of April 1822, you recommended that solid meat should not be given, but instead of that, meat mixed with soup?—The substantial change I recommended, was a reduction of eight ounces of bread from the male, and two from the female, but on its being stated that danger accrued from the use of knives and forks, I saw no reason against comminuting the animal food, mixing it with soup and making spoon meat.

That is to say, that instead of having the meat in its crude form, they were to have more of its essence in the nature of soup?—That the meat was to be cut down into the soup.

Did you mean that there was to be any meat at all in the soup, or that it was to be only the soup?—That the same quantity of meat that had been given before should be given, but so as not to require the use of knives and forks.

When you saw the dietary which was afterwards adopted in July, you would perceive that the communication of the meat with the soup was abandoned, and that no meat at all was given; did you see any objection to that when it was proposed to you?—I did not give so much consideration to that as to the other, but I did not see any objection, and I believe I so expressed myself.

You visited the Penitentiary on or about the 22d of February 1823?—I did about the middle of February; I believe the 14th of February 1823 was the day.

Were the prisoners in the Penitentiary then in a state of sickness?—I cannot say they were; they were of less size, particularly the females, than they had been when I saw them before; I went with a view of seeing what effect the diet had upon the prisoners.

Were any statements made to you by the officers of the prison, by the matron or the superintendent of the works, or any person well acquainted with the situation of the prisoners, that their health and strength evidently were impaired?—I should say that in the shape of complaint I believe nothing came to me; but I do remember in going round among the prisoners, it was mostly the females to whom I confined my attention

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attention that day; the matron, who appeared to feel very much for the prisoners, a very good natured woman, made some remarks that they would be much better; the only complaint the prisoners themselves made, was about the soup, I think they grumbled about the soup, the barley soup I remember particularly.

Did you take into consideration the situation of the prisoners, and the diet by which they were nourished at that period?—I believe their situation was precisely that it was on my two former visits, when I gave a great deal of time and attention to it.

The Committee understand you to have drawn the conclusion, that the diet had not much to do with the state of health in which the prison was?—I am not aware that the state of health was bad; there certainly was no increase of disease.

Have you been there since the 22d of February?—I was there I think, either the end of March or the beginning of April, when I understood that a great deal of disease prevailed among the prisoners, the scurvy; I requested to meet the two physicians who were appointed to visit the Penitentiary; I saw the sick at that time.

From what you saw at that period, do you think that the disease that was then so prevalent, was to be attributed to the change which had taken place in July last?—I beg to state distinctly, that at that time and the last visit I paid, either the end of March or the beginning of April, I saw very little of severe disease; a number of people were presented, but they were all cases, if I had seen them in an army hospital, I should have said they were people that had very little disease about them; I do not mean to say that previously there might not have been disease which I did not see, but those people were recovering from the disease; I did not see a great deal of disease at that time.

Were cases shown to you, that announced the existence of that complaint, which has been spoken of here by the name of the sea scurvy?—I do not think I saw cases which I could correctly characterize as scurvy; I do not mean to controvert the statement of the gentlemen who attended; but I saw them in a state of amendment; I should have said, from my observation at the time, that they must have been all very slight cases of it.

Was there any appearance, at the time you examined the prisoners, of a general decay of health; were their countenances less florid; and were you informed, by the persons that had the care of them, that they were not able to go through the same exertions of labour as they were heretofore?—Yes; I was certainly informed that they were not, and that there was a great debility among them; but I observed at the same time to the two physicians, that for so many sick, (I think I saw 130 or more,) I seldom saw so few sick men with such healthy aspects.

Is it your opinion now, that the illness which has prevailed to such an extent in the Penitentiary has been occasioned, in whole or in part, by the change that took place in the diet last year?—I would distinctly say, that having thought on the subject, and therefore bringing to my recollection all the facts within my knowledge, I cannot attribute it to the change of diet.

You still entertain that opinion?—I do, and I well recollect that I stated at the same time to the two physicians what I thought more likely to be the cause of it.

What, in your opinion, was the cause or were the causes of the disease?—I attribute it to a general cause, affecting very much the population of this metropolis. During the period when so much sickness prevailed at the Penitentiary, there was something, as far as I can learn, of the same proportion of sickness, with an equal mortality, in the general population, particularly among the lower classes; and the fact is very striking in an establishment which is the most analogous—the house of correction in Cold Bath Fields. The mortality and sickness of that prison, in the years 1820, and 1821 and 1822, is upon the average perhaps nine; but, in the three months in question, their mortality, I believe, has been nine. This is a striking fact, but it is by no means a solitary one; it has happened in the parish in which I live, that the mortality in the poor house, and in the parish at large, has been in nearly that proportion.

Which is the parish to which you allude?—Kensington.

Are you aware, that in the house of correction in Cold Bath Fields, towards the middle of the last year, they too changed their dietary, and adopted one upon a much more reduced scale than had existed during any of the preceding years to which you have alluded?—I have heard, within these few days, there had been a change effected; I am not perfectly aware of it. When I last visited the Cold Bath Fields prison, it was without any animal food, except on Sunday, and then six ounces; on all the other days, they went on bread and water.

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Are you aware that, in the Penitentiary, persons who were in the kitchens were not subject to the attack of this complaint?—I have understood that they were much less subject to it than the others; but it appears to me a sort of negative fact, that it is not the diet alone of the people who are in the kitchen; they are, in a certain degree, free from restraint, and their minds and their spirits not in the same state as those people who are more closely confined.

You are aware, that the service of the kitchen is performed by prisoners?—Yes, I am.

And that, of course, their labour being in the administration of food, they have a greater portion of food at their disposal, if they think fit to eat it?—Yes; and likewise, I presume, they are much more at liberty, and walk about, and take more exercise.

Then you would consider, as one of the moral causes, that their having a greater degree of amusement and gaiety, operated as a prevention to this disease?—Exactly so.

When you visited the hospital of the Penitentiary in February last, were any persons legs exhibited to you as showing evidently marks of scurvy?—I cannot bring to my recollection that there were.

Are you aware, that an examination took place of all the legs of the persons in the Penitentiary, in the month of March last; and it was discovered, that between three and four hundred were more or less affected with that complaint?—I have heard that was so.

Have diseases of this nature affected the population out of doors in the same proportion?—I am not aware that disease of precisely the same cast has; but I observed, among the list of diseases prevalent in Cold Bath Fields, affections of the bowels were very prevalent; in former years they amounted to, I think, 200 in the year; and I think, in those three months, January, February, and March, they amounted to sixty, which I call an extraordinarily large number.

Do you approve of the recent change which has taken place in the dietary at the Penitentiary?—I am not able to say that I am quite aware what the change is; I have generally understood there has been a great increase of animal food.

Is it your opinion, that a diet composed of any one thing continued for a great length of time would not be so advantageous to the health of an individual as an alteration of sometimes soup and sometimes meat, and sometimes vegetables, and sometimes bread?—I think there is no fact better established than that such change of diet operates strongly on disease.

And has generally been more conducive to health than any fixed diet you can name?—That involves a question which I am not quite prepared to answer; the increase in the quantity of diet is contingent on so many circumstances.

Do you think that prisoners would be in as good health upon a diet wholly farinaceous, as upon a mixture of bread and gruel with meat?—I have no doubt of it; I think that in some of the foreign prisons, but certainly in convents and religious houses, where the rules and orders require their using no animal food, they are, I know, in a state of health.

Would climate not tell in that respect?—I allude particularly to the peninsula of Europe, the climate not differing very materially from our own.

Did you ever see any large body of persons, shut up in any prison, that for any length of time had been subject wholly to a farinaceous diet, who were in a state of health?—I cannot say that I have.

Did you ever see the prison near Ghent?—No, I cannot say that I have.

Did you ever see any foreign prisons?—Yes, I have; not very lately I have visited a prison in Paris, and I saw a prison some years ago in the neighbourhood of Brussels.

You are aware that meat and soup are administered in all of them?—Yes.

You went round the Penitentiary with Mr. Holford, on the 14th of February?—I did.

Have you looked into the report of the physicians to see the number of prisoners that were in the infirmaries, on the different days in the month of February?—I saw that report when it came out, I cannot recollect the number, but I know it was very considerable.

It appears upon the report, that on the 14th of February the numbers in the female infirmary were much smaller than on any day preceding or subsequent in that month?—I believe that was so.

You

You went round a part of the prison with Mr. Holford?—I did.

Was not your observation to Mr. Holford at that time, that though the females looked rather paler than when you saw them before, you perceived no difference in the countenances of the men?—I now recollect that that was my remark at the time.

The report you sent in to the committee of the Penitentiary, dated the 17th of February, alluded to the visit you made on the 14th, and stated the result of that visit?—It did; I visited four times, twice in the year 1822 and twice in the present year; my letter of the 17th referred to my last visit previous to that, namely, that on the 14th.

Is it supposed in the Peninsula that the people, whom you state to have lived and to have been healthy on farinaceous food, had a plentiful supply of fruit, such as grapes?—That was certainly the case; a part of their diet, one part of the year, was dry fruits.

Were the convents very rigid?—I understood they were very rigid, that the confinement of the females was as close as in any prison.

And that they had as little intercourse with each other?—That I cannot speak to.

Were you rightly understood, when you were supposed to have stated this disease to have prevailed in the workhouse at Kensington?—Not this disease, but sickness.

You consider the whole of this winter as having been remarkably unhealthy?—Unquestionably so, and with a great class of diseases.

From what time to what time?—I should say generally for the first three months of the year.

Have not diseases been generally so severe as to create a mortality which may be considered as unusual?—There has been no sweeping disease, no epidemic, but it has been a general unhealthiness of season as connected with all diseases.

In point of fact, has it not affected surgical cases to such an extent that many operations that have in former years been performed with safety, have been attended this year with great danger?—That I do not know, but I have heard the circumstance stated.

Do you consider that disorder which prevails at the Penitentiary to be contagious or not?—During the course of thirty years I have occasionally seen scurvy, I never have seen the disease contagious, but I am by no means prepared to say that it is not, for when a number of men are congregated together, I am always inclined to the opinion that it is difficult to ascertain whether a disease is or not contagious; the disorder I have very frequently seen contagious.

Is it not a received opinion amongst medical persons, that if a disease is diluted in a manner amongst a great number it may not be contagious, but if at all concentrated, it becomes so?—The more it is diluted or dispersed, the more mild the disease is, that is, if a disease be contagious, the less the space within which it is confined, the more it is extended.

So that you might mix one or two patients in typhus fever in the ward of an hospital with impunity, but if you put five or six it would so concentrate the complaint as to make it contagious?—I believe it is consonant to all observation, that confined in a small space the contagion would be very strong, and if there were a very large area or space in the open air, the disease would be comparatively innoxious.

Andrew Baird, M. D. called in; and Examined.

ARE you not inspector of the naval hospitals?—Not at present; I have been.

Did you fill that situation for any length of time?—For twenty years; combining my appointment as physician of the fleet and commissioner of the sick and wounded board, and the sick and wounded hospitals, twenty years.

During that period have many cases of scurvy come under your observation?—Very many.

From what causes do you principally ascribe that disease to originate?—Long continued use of salted provisions, bad air, moisture, and want of ventilation and cleanliness.

Do your objections to the salted provisions arise from their being salted, or from their not being sufficiently nutritive?—I conceive that salted provision kept for a length of time loses all power of nutriment.

Then, instead of your objection lying to the salt provisions, you would more plainly say, it lay to deficient nutriment as well as moisture, bad air, and want of cleanliness?—I think so.

Sir J. M'Grigor.

(May 30.)

Dr. Baird.

Dr. Baird.

(May 30.)

What was the practice that you adopted to check that disease?—On my first voyage to sea, as long ago as 1781, it appeared in the ship in which I was serving, in a voyage to America; at that time we had none of the antidotes to scurvy now in use on board, nor were they supplied to the service at that time; the plan we had recourse to was, to stop the men's salted provisions, feeding them upon food prepared from oatmeal, portable soup, which was then supplied to the navy, and cabbage, called sour crout, that was the means we had recourse to then; we had none other in our power; subsequently, and in the late war, the ships in His Majesty's fleet were supplied with lemon juice, and that when fresh provisions and vegetables could not be obtained was a very great preventive of scurvy; this I speak of in the medical treatment of the disease, but there was then a vast reform in the discipline of His Majesty's navy, in the comforts of the men as to cleanliness, dress, and ventilation, which I conceive had a very material effect, in combination with the use of lemon juice, in preventing that disease.

Is that disease as prevalent in the navy now as heretofore?—Certainly not.

To what cause should you attribute the decline of it?—To the improved discipline of the navy.

To better food?—The food is improved certainly; there is much pains taken to provide a dress suited to the seamen in all climates, and there is a greater degree of attention to cleanliness; moisture, I conceive, had a great effect in promoting that disease; the washing the decks and other parts of the ship promoting moisture; they are now rubbed with sand and stone, so that the state of humid atmosphere, which must always attend the continual washing of the ship, is avoided.

Have you seen the dietary of the Penitentiary that took place in the month of July last?—I have read, in a pamphlet written by Mr. Hutchison, the plan of dietary at the Penitentiary.

In your opinion, did that dietary contain sufficient nourishment for the prisoners?—I have not visited the Penitentiary since that time, therefore I cannot form any opinion from any alteration that might be visible now.

Taking the question abstractedly considered, casting your eye over that dietary, do you think that dietary contained sufficient food to maintain the men and women in health?—If I was aware of the exact quantity of meat, I could perhaps answer that.

Take it at somewhat more than one ounce a day, with a pound and a half of bread and a quart of soup and gruel?—It strikes me that so small a quantity of animal food would appear to be rather too much diluted from the quantity of broth made.

Supposing the quantity of animal food which is contained in the soup to have been given solid in the course of the week, should you have considered that as sufficient?—It appears but a small quantity, but I cannot help thinking, that diluted to such a degree, say little better than an ounce to a quart, must lessen its nutritive quality too much.

Should you think that if persons were confined a certain number of months, receiving no greater quantity of food than you have exhibited before you in that diet, that might be one of the causes of the origin of the complaint, called the sea scurvy?—Never having met with a case on shore bearing all the characters of sea scurvy, I really cannot say what effect such a dietary would have produced; speaking of the diet, if I may refer to the diet of the prisoners of war, of whom there were 70,000 in the country at a time, they were maintained in good health, at one pound and a half of bread and half a pound meat.

Meat in soup?—No, in its raw state; soup was of course made from that.

Do you consider animal food to be necessary for the maintenance of health?—We know that in some parts of the United Kingdom, for instance in Ireland, a very numerous part of the community do not eat animal food at all, but then they have the advantage of milk and vegetables, and they have not the depressing effect of confinement which prisoners are under.

Supposing a person in prison to receive a sufficient quantity of food, farinaceous and vegetable, do you consider that animal food is also necessary?—So long as the health does not appear to be disturbed, I should say not.

Supposing you increase the quantity of bread, that instead of giving a pound and a half, you give two pounds and a half, and that you give vegetables; do you consider that a food calculated to keep a person in health confined in prison for any length of time?—It must be experiment only that could prove that; I should certainly be inclined to adopt a portion of animal food.

Dr. Baird.

(May 30.)

In preference to any quantity of other food?—Yes; because I conceive that most of the persons who are in the prison, have been accustomed to a portion of animal food throughout life.

Supposing a person committed to prison, who had not been in the habit of living on animal food at all, or very seldom having it, in that case do you consider it necessary for the health of the individual to give him animal food?—No, I do not in that case consider it necessary; still it must be matter of experiment that will prove the fact; it can only be matter of opinion.

Do you consider a vegetable and farinaceous food more effectual or less effectual in removing the scurvy, than food either altogether animal, or mixed food, animal and vegetable?—If a patient be very much reduced by the disease, I should say a combination of both; if not, and it was desired speedily to reduce the disease of scurvy, I should rest on vegetables and bread.

What nature of food do you consider best calculated to prevent the disease of scurvy occurring?—I cannot conceive from what I have seen of sea scurvy, that it can have existence where there is a sufficient portion of animal food and vegetables; I only speak, not having seen any of these cases from my reasoning on the subject, from what I have seen in other situations.

Do you ascribe the disease of scurvy more to the nature of the food or to the quantity?—To the quality.

Which quality is most likely to prevent the disease occurring, a diet altogether farinaceous and vegetable, or a diet farinaceous and animal, that is, bread and meat?—I have seen the disease produced with a diet of bread, but I have never seen it produced where the persons had the free use of vegetables.

In stating that the dietary, of which you have been speaking, does not appear to contain sufficient sustenance, what portion of meat do you reckon in the soup daily, according to the calculation you have made?—I have not examined the calculation; it was observed to me that the quantity was a little better than an ounce.

Supposing the quantity to turn out to be an ounce and a half for each man, and that there should be a very liberal supply of vegetables from the garden in the soup; and it should be also thickened with peas or barley, do you then think that would be sufficient sustenance for the prisoners?—I observed before, that such a quantity as an ounce and a half, cannot, in my opinion, impart sufficient strength to the soup, and that by so diluting it, its nutritive power must be lessened.

Do you know whether in some prisons bread, gruel and soup composed entirely of vegetables are not the general diet?—I do not.

Would not an ounce and a half of meat make a considerable difference?—It must make a difference.

If that dietary had been shown to you before it was put into use, would you have thought it an unsafe experiment to be tried on prisoners under a medical person of competent skill to watch its effects?—I think I should always have objected to the quantity of liquid.

Are you acquainted with the nature of the food which the Spitalfields weavers are in the habit of supporting themselves upon?—I am not.

Supposing that a large number of persons, confined all the day in the different manufactories, were to live on a very small quantity of bread and tea, what effect would you anticipate from such a diet?—If they have abundance of bread, tea I do not consider a very nutritive article, but the sugar with which it is sweetened is a nutritive article.

To what extent do you conceive the difference between a Spitalfields weaver confined all the day working at his loom, and working on a small quantity of bread and tea, and a prisoner confined in the Penitentiary, working at weaving, and living upon bread and a small quantity of meat and soup?—I have not given an opinion that the quantity of meat was diminished so as to affect those persons health, I have only expressed an opinion, that was a small quantity.

You have stated your opinion, that it was diluted to too great a degree in soup, and that that was the cause of the disease?—I have not said that was the cause of the disease, but that the quantity of meat allowed was too small to impart any nutritive effect to the broth, at least not to the extent which it would if the meat had been boiled in a smaller quantity.

Do you conceive that the same food which will support a Spitalfields weaver would be adequate to the support of a person in the Penitentiary?—I am not aware of the kind of labour the prisoners in the Penitentiary undergo.

Dr. Baird.

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Supposing them both to be weavers?—I am not aware of the extent of their labour, or the number of hours of relaxation they have.

Supposing the hours to be precisely the same?—The prisoners, such as are in the Penitentiary, I conceive to be under very great mental depression, and that will always have an effect upon the health.

From the mental effect produced on the prisoners, do you think an increased diet is necessary to the prisoners, over a person working in a manufactory the same given number of hours?—I am not prepared to say that; it is only those who have observed the effect, who can state that.

You have been a medical officer about forty years?—Thirty-eight years and ten months.

How long have you known Mr. Hutchison, the late medical superintendant of the Penitentiary?—I think it was in the year 1801 that he embarked on board the hospital ship, then consigned to the Baltic.

What is your opinion of his temper?—During the time that he served in that hospital ship, and at all times subsequent to that that I had opportunities of seeing him, both as assistant surgeon and surgeon in the war, for I saw him in the fleet when he was surgeon as well as being assistant surgeon; I was then appointed physician to the fleet; his conduct, in every instance that came within my knowledge and observation, was truly exemplary; I found him professionally well qualified, zealous in his duty to an extreme, active, kind and humane to his patients, and maintaining a good understanding with his messmates, and the captains with whom I have had any conversation, have always spoken of him in the highest terms.

Do you know any thing on the subject of his practice in London?—I have little opportunity of seeing his practice in London, but he has attended myself in a very serious illness, and such was the confidence I reposed in him, that were I similarly attacked again, or with any illness, I most assuredly would consult him and call him to my aid.

Robert Westcott Bampffield, Esq. called in; and Examined.

*R. W. Bampffield,
Esq.*

HAVE you had considerable experience of the disease of scurvy?—I have seen scurvy in all its protean forms, from the lightest up to the most violent, dangerous and fatal.

Have you been a professional person in the navy?—I entered his Majesty's navy in the year 1799, and served under Sir John Warren and Sir James Hawkins Whitshed; I was ten years in the *Belliqueux*, with the present Admiral Viscount Torrington.

From that extensive service you must of course have seen scurvy in all the forms you have stated?—I have seen it in every variety, and almost in every part of the world.

To what causes should you principally ascribe its origin?—Scurvy must be necessarily preceded by diet devoid of sufficient nourishment, or a diet of salt meat.

Do you mean by distinguishing the two, that if there was plenty of salt meat still the disease might originate?—Scurvy might be induced if salt meat were given without fresh vegetables in ample quantity.

The Committee understand you to assign two causes, the one a deficiency of food, and the other salt provisions?—Yes; and in garrisons besieged the cause is the same, a diet of salt provisions without fresh vegetables; in all other situations on land the cause is a deficiency of nourishment.

Have you seen many cases of scurvy on shore?—I have seen scurvy prevailing on board a ship, where we have been in harbour, land locked at Trincomalee in the East Indies; I have also seen some cases of scurvy in London.

Were those cases you have seen of scurvy in London amongst the poorer class of people?—They were cases I have seen in the parish workhouse of St. Paul's Covent-garden.

In point of fact, do you know whether cases of scurvy are common in the workhouses of the Metropolis?—They are not very common, but they occur there; I have attended the workhouse of St. Paul Covent-garden seven years, and have seen only three cases.

The dietary is good there, is it?—Yes, I believe it is better than the generality.

Then you would consider that those three cases were cases in which the disease had originated from bad food?—Yes, two of the cases were sent into the workhouse, one originated in a female who had been there a considerable time.

Were

Were those persons recently admitted into the workhouse when they had the disease, or had they been there any considerable length of time, so as to have benefited by the good food which was given there?—They had the scurvy when they were admitted.

R. W. Bampffield,
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You conceive, with respect to the third, the disease commenced while the person was in the house?—The disease originated in the workhouse; she had been there a considerable time.

In that case then, it was not bad food?—In that case it was not altogether bad food.

To what should you attribute the disease in the other case?—I am at a loss; it is the only case I ever met with in which I could not trace it to want of nourishment or salt provisions.

In point of fact, are there not some habits so scorbutic by descent, that the disease shows itself under almost any circumstances?—Amongst sailors, after they have once had the scurvy, a predisposition exists, and in some cases it requires a very long time to eradicate that predisposition.

Are not the working part of the community subject to scurvy?—They are, in some degree, subject to scurvy; when they are placed under circumstances of a diet wanting sufficient nourishment.

With the exception of the case you have stated, you are of opinion, there is no case of scurvy you have met with in which it may not be considered as arising either from deficiency of food or from the use of salt provisions?—Out of the many hundred cases I have seen I could never trace it to any other cause.

Did you ever see the scale of dietary which has been in use in the Penitentiary since July last?—I have.

If that dietary had been shown to you prior to its adoption, should you have approved of it?—I should not have approved of it, or allowed it my sanction; and I believe I should further have stated, that under such a diet, scurvy must necessarily have been produced.

Do you state that to be your opinion from the insufficiency of it, or the quality?—From the insufficiency of it, and the quality also; I have seen many persons who had a much better dietary than this who became affected with scurvy.

Do you mean the dietary adopted in July last?—Yes; in that scheme of diet there is no fresh vegetable matter whatever; none that I perceive; I do not mean farinaceous matter.

Is it intended, do you suppose, that there shall be no vegetables from the garden in the soup?—I mean to say, that that scheme does not so express it.

Are you giving your opinion under a notion that there are no vegetables from the garden in the soup?—I have given my opinion at present under that impression.

Supposing that it should turn out that there were vegetables in the soup, such as greens, turnips, and onions, should you think there was a sufficient quantity of animal matter in the soup to sustain health?—No; it occurred to me at Trincomalee, in the situation I have alluded to, that though the ship's company were allowed one pound of fresh beef per day, such as we have in the East Indies, with a small quantity of vegetables, that in one week after the men were placed on that diet, thirteen cases of scurvy occurred, and I was compelled to write a letter on service to represent that the quantity of vegetables must be increased, and which, on being given, put an effectual stop to the progress of scurvy.

Will you refer to this statement, [*it being handed to the witness,*] and see whether it is the dietary to which you refer?—The soup, in this instance, will be made precisely as that to which I have alluded. The partial allowance of vegetables were green vegetables; no barley was put into their soup, but peas were; and, notwithstanding, the men became affected with scurvy. Further, it stands on record, that the winter of 1794-5, it was an extremely severe winter, and that many ships then lying at Spithead, who were supplied with animal food, but could not, on account of the frost, obtain much vegetable matter, became affected with scurvy.

Should you think that the use of onions, to a very considerable extent, would have been a sufficient use of vegetables to qualify the meat, the mere use of which you would consider as exciting to scurvy?—I should conceive, that as much vegetable almost as could be put into broth, made in the proportion of one ounce and one-third of meat for each individual, would not prevent scurvy.

In what time do you think that would show itself?—I should think that, with such a diet in this country, it would show itself in about five months; in a tropical climate, it would show itself sooner; I speak from experience.

R. W. Bampffield,
Esq.

(May 30.)

Should you have had any objection to that dietary, from its consisting of liquids and fluids, without the use of any crude meat?—I will state, that that dietary is precisely what physicians and surgeons call low diet, and that such a fluid diet would very probably bring on diarrhœa, if long continued.

Supposing that the farinaceous and vegetable part of the diet had been used six days in a week, and that seven or eight ounces of meat had been given crude on one day; in your opinion, would that have been a sufficient diet, or a better diet than that which was established?—It would have been a better diet. My mind is struck with one fact, which bears upon this subject. On board a ship, the seamen and midshipmen, or the midshipmen's mess, are placed precisely on the same diet; but as the midshipmen dine out about once a week, either with the captain or officers mess, and obtain one full diet of fresh animal and vegetable matter about once a week; I have certainly, in all my experience, never seen more than two midshipmen affected with scurvy, and that was in a slight degree, in a cruize in the East Indies, in which there were only thirty-six men left free from it, when we arrived in harbour, out of a complement of 490.

What would be the scheme of diet that you would recommend to be adopted in a prison situated as the Penitentiary is, taking into consideration the confinement of the parties, and the operation of moral causes on their minds?—I should think, to preserve them in good health, they ought to have from four to six ounces of meat per day, with a sufficient quantity of vegetables.

Dressed or undressed?—Dressed.

Do you mean that it should weigh six ounces after boiling?—I think a hearty man should have six ounces of meat; a female might perhaps do with four or five, with a sufficient quantity of vegetables.

What quantity of bread would you add?—I think a pound of bread would be sufficient; in our workhouse we allow twelve ounces to the males and ten to the females of white bread.

And what quantity of meat?—We allow the men twenty-four ounces a week, and the females twenty-one ounces a week.

Is that given daily?—No; they have potatoes on the days on which they have meat, or esculent vegetables.

In what quantities is the meat given?—It is given on three days in the week; eight ounces Sundays, Tuesdays, and Thursdays, for the men;—for the women seven ounces, Sundays, Tuesdays, and Thursdays; then besides that they have other animal matter, they have five ounces of butter and ten ounces of cheese, a week.

Do you think that it is better to vary the diet after you have been giving them meat three days a week, or four days a week, and the other three days to give them food of another kind, or would it be most advisable to give them every day a certain portion of meat?—I observe that when the meat is served out in this way they generally (and so it is on board a ship) preserve a portion of meat for the following day; on the following day, according to the scheme, there is pea soup, and vegetables boiled with the broth; I am of opinion there should be a variety of meat, and that, in order to preserve us in health, in this climate particularly, the diet should be a mixed diet; animal and vegetable diet; I have come to the conclusion, from a variety of facts and observations I have drawn together, that I have seen scurvy induced under every circumstance, except where the parties have had a full diet of fresh animal and vegetable matter mixed.

In all climates?—In all climates.

You have visited all climates?—I have.

As you have sailed in the eastern seas, you probably have visited Bengal?—I have.

Do you know the diet of the Hindoos in that country?—I do.

Is not their diet entirely confined to rice?—Certainly not.

What other diet do they live upon?—They also use animal food.

What animal food?—They do not use the beef or mutton of those countries, but they use butter, milk, cheese and eggs.

Supposing that they use butter and milk and eggs, still would not they be much more susceptible of the disease of the scurvy than persons living upon a diet, such as you have just stated to be the diet in the Penitentiary?—They also use fish, which is animal matter, and roots, and their original stamina has been derived from parents brought up upon that sort of food; the nature of the climate also renders animal food less necessary naturally there; during the greater part of the year the earth is parched up; there is no pasturage for cattle; the cattle being extremely thin and small;

small; nature would seem to ordain that the diet, in those seasons of the year, should consist principally of vegetable matter, and the animal matter I have spoken of, for if all eat animal food constantly for one year, they would almost consume all the cattle in India.

*R. W. Rampsfield,
Esq.*

(May 30.)

Have you not known them frequently to live for a considerable length of time upon crude meat?—We went with an expedition from Bombay, in the year 1809 to the island of Rodriguez, windward of the isle of France, with some Sepoy regiments, and in consequence of the low diet which was observed on board ship, many of them became extremely weak and emaciated, insomuch so that the surgeons and myself among the rest, were obliged to prescribe food for them, as medicine and wine too.

You have suggested eight ounces per day, on Sunday, Tuesday and Friday, making altogether twenty-four ounces in the week, what would you give the other four days?—I have not suggested that, but stated that to be the diet in the work-house.

You have suggested six ounces per day?—Yes.

Is that diet you have stated, the diet you would recommend for a person who had been in the habit of eating animal food before he came into the gaol, or for every individual, whether his habit had been that of living well, or of living on a low diet before he came in?—I conceive that every person in this kingdom eats animal matter in some way or other, or animal food; if he does not take it in beef or mutton, he takes animal matter in butter, cheese, eggs, milk and bacon, which is just the same as fresh animal matter; in the Penitentiary, as they are not allowed to be visited, they have nothing but what appears upon the scale of dietary, and therefore they must have a substitute in solid animal food for the animal matter or food they have been accustomed to out of the Penitentiary, let their diet have been what it may.

Have you visited any of the prisons in different parts of the kingdom?—I was once in Gloucester gaol, but not with any particular view.

Are you acquainted with the diet usually given to prisoners in the gaols in different parts of England?—I am not.

Is the diet you have stated to be necessary for persons confined in gaol, a diet which you generally consider to be necessary to be introduced into all prisons of the kingdom, or do you merely consider it necessary for the Penitentiary only?—I should think experience has fully established, that a mixed diet of animal and vegetable food is the best calculated for the inhabitants of this country; and it will be more especially necessary in the Penitentiary, for they are chiefly taken from convicted persons, who have lived in the metropolis, where they have fared very well in general.

Supposing in this prison that a full proportion of the prisoners, and the greater proportion of the prisoners, are persons who have been sent from the country to the Penitentiary, what should you say?—Even supposing they have not taken beef or mutton in the country, they have taken the other animal matters I have spoken of; in the Penitentiary it would be absolutely necessary to give them animal food.

Does that arise from the situation of the Penitentiary, or any thing exclusively belonging to that prison?—Not at all; it arises from this circumstance—that custom and experience have fully established in this country, that a mixed diet of animal and vegetable matter is the best calculated to keep up the health, strength, and spirits of its inhabitants, and that it allows the mental and corporal functions to be more freely developed than a diet exclusively animal or vegetable.

Supposing it should have been found in experience, that, in the different gaols in the kingdom, a much lower diet than that you proposed has been beneficial to the health of the prisoners; that in proportion to their confinement, their health has improved; that in many of the prisons of the kingdom, they have a pound and a half of bread and a quart of oatmeal gruel a day, and meat only once a week; and that that has proved beneficial to the health of the prisoners, and kept them in constant health; what should you say?—I should inquire if the friends of those prisoners were not allowed access to them; and I should then inquire, if the friends of those prisoners did not bring them in that animal matter, which I have considered to be necessary.

Supposing the larger proportion of them received nothing whatever from their friends?—I should say such a fact was possible, but extraordinary; but I should like to see it, because I cannot give even full credit to it.

Supposing that, upon that diet just stated, no scurvy has even been known in

*R. W. Bampffield,
Esq.*

(May 30.)

those prisons; how can you account for that, they having had only that, which you consider to be a diet that must induce the disease?—What vegetables does the question suppose?

With their meat, on the Sundays; the meat boiled up with vegetables, greens and carrots and potatoes; but on a Sunday only?—The fact I have mentioned, with relation to the midshipmen on board a ship, would seem to apply to their situation.

You have stated, that you consider that food to be daily necessary; supposing it to be only once a week, and yet the prisoners to continue in perfect health, and their health to improve in proportion to the time they continue in the prison, the scurvy having never occurred in many prisons; how do you reconcile your opinion with the fact?—I do not attempt to reconcile it; I merely give the result of my own experience, and the observations founded upon it; my facts and experience enable me to draw a conclusion different from that which is the result at those prisons.

Your experience is an experience on board ship?—Chiefly.

And your experience does not arise from your knowledge of the prisons either of this kingdom or any other part of the world?—No.

May not the scurvy which occurs on board ships arise from the quality of the food, and not from the diminished quantity?—I have stated that it arises from the use of salted diet, that quality of food is not good, because it is not sufficiently nutritive.

Does salt deprive the meat of its nutritive quality?—The process of salting certainly does, because all the animal juices escape in the process of salting; soup cannot be made from salted meat, the water in which it is boiled is always thrown away.

Then is it the salt itself, or the deprivation of nutrition that causes the disease?—I think that the salt contributes to it certainly, and I also think that the deficient nourishment extracted from it is another cause, for in most of the cases of scurvy there is a considerable degree of emaciation induced.

Does not confinement in general tend to make persons fat?—Speaking of the whole animal kingdom, confinement generally does tend to make them fat.

So that it might have happened that persons might go out of prison increased in weight, without being increased in strength?—Certainly; and even where scurvy prevails some of the persons are so bloated that I think they would weigh more than they did before they became so affected.

Do you think that persons who have been confined for two years, to a diet such as you have just had described to you, might quit prison with an increased weight and appearance of health, and yet have their strength by which their bread was to be got considerably diminished?—I should certainly think that their strength might be decreased whether their corpulence was increased or not.

Do you think that a person who had got so fat, would be able to go through as hard a day's labour as he would the day that he was committed to prison?—In my opinion not.

Does that arise from the person being kept in a state of inactivity, or do you ascribe it to the diminution of diet?—According to my experience it would be attributable to both.

If you were informed, that there was a prison in which the allowance every day, was one pound and a half of bread, one pint of gruel, and one pound of potatoes, four times a week, and vegetable soup for the other three days, would you conceive it possible that such a diet could be long continued without producing scurvy?—All things are possible; that may be possible.

Is it probable that such a diet could be long continued without producing scurvy?—According to my experience, not.

Would a person under the confinement alluded to in the Penitentiary, with any diet, be equal to the performance of a day's work on going out?—I think on a mixed diet of animal and vegetable food he would be, if he had had a moderate degree of exercise.

Supposing an Irishman, who had never lived on any diet but potatoes, and milk, to be committed to the Penitentiary, or any other prison in the kingdom, and fed on the same diet he had been living on, would that person be subject to the scurvy, or not?—I have been in Ireland; I think I have visited some of the meanest huts in Ireland, and I never saw an Irishman who was fed so low as on potatoes and milk; I think I have invariably seen that they had hens who laid eggs, I have seen them in general; I have also seen a pig in the house; I have seen a cow generally either in one cabin, or amongst two or three cabins, from whence they made butter
and

and cheese; and I conceive, upon that diet in the Penitentiary, an Irishman might enjoy his health, if you gave him butter, cheese, milk, butter-milk, eggs, and some vegetables, and a slice of bacon now and then.

*R. W. Dampfield,
Esq.*

(May 30.)

Then it is to be understood that it is sufficiency of diet, and not its being animal food, which is actually necessary for the prisoners who are committed?—I consider that it must be a mixed diet of animal and vegetable food, not in beef or mutton necessarily, but there are many other articles of animal matter which constitute part of our diet, and must be all included in a subject of this nature.

Do you conceive that a man set to weaving, who had not been accustomed to it, and kept to it for twelve or fourteen hours a day and doing nothing else, would be so equal to do a day's work as if he had been accustomed to it?—He would be as equal, but inasmuch as he would bring other muscles into action which were not previously employed in weaving, those muscles the next day would feel weary; in order to do a day's work of any kind with ease and without pain, a man must be accustomed to it.

Having seen so much of the scurvy at sea, what was the medical treatment that you were in the practice of using?—My medical treatment consisted invariably in administering citric acid or lemon juice, and in such necessaries as the surgeon had in his charge.

Did you find the use of the citric acid affect their bowels?—The citric acid, when I began to employ it in cases of scorbutic flux, I apprehended would affect the bowels; and in consequence of that apprehension, with a quarter of a pint of lemon-juice I began the administration, with one grain of opium, and, very much to my satisfaction, I found that it did not disagree with the bowels; and therefore, in all cases at sea, where I had to contend with the scorbutic dysentery or scorbutic diarrhoea, I administered four ounces of lemon-juice to a grain of opium, either twice or four times in the four-and-twenty hours; and if that did produce any uneasiness in the bowels, I gave them aromatics and carminatives always.

Did you find ripe oranges as beneficial as lemons?—I never found oranges so beneficial as lemons, there is no fact of which I am so well convinced, as that the principle which cures scurvy, as a medicine, is citric acid.

Almost in the nature of a specific?—Almost; it has been given in fresh lemons, it has been given as preserved in bottles, and it has been administered in the pure crystals of citric acid, and in each instance, in each form, it has shewn its beneficial effect; the juice of oranges is useful in the proportion that it contains the citric acid; Seville oranges contain more citric acid than the sweet oranges; sweet oranges contain very little citric acid.

Then they are useful only as other vegetables would be?—Yes; I conceive that they are useful as a nutritive vegetable, as containing sugar and mucilage.

Would the use of sugar with the citric acid diminish its effect?—No.

Might it not lessen the tendency, which it is described sometimes to have, to create diarrhoea?—According to my experience, citric acid, administered in the way I have spoken of, I have very seldom seen to disagree.

Did you, in the cases of diarrhoea in which you employed lemon juice, give it in combination with opium?—Yes, always.

How many grains of opium to so many ounces of lemon juice?—We generally gave a grain of opium with every four ounces of the juice; and in harbour, when the patients ate fresh lemons, I gave them peppermint and laudanum.

In common cases of diarrhoea, that are not scorbutic, would the use of citric acid affect the bowels?—I believe it would; and if the citric acid, in scorbutic diarrhoea, affected the bowels much, I should deem it a proof that the scurvy was receding.

The Committee understand you to say, that from your experience as to the effect of citric acid not operating on the bowels in the cases of scorbutic diarrhoea, you would consider the fact of that operation taking place upon the bowels as a proof that the disease was abating?—Yes.

Are you a colleague of the late medical superintendent of the Penitentiary, Mr. Hutchison?—I am.

How long have you known that gentleman, and what is your opinion of his temper and general deportment, and his attention to the sick of the charity to which you mutually belong?—I have known Mr. Hutchison eighteen years; I have always found him a man of most excellent temper; he is frank, open, generous, and communicative; I invariably found him humane even to his disadvantage; I have experienced his humanity myself when I was a patient of his in Deal hospital, and it was upon that

R. W. Bampffield,
Esq.

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that occasion I formed a great friendship for him; and as a colleague, certainly, he is very humane, very skillful, and very able.

From your great experience of the scurvy, will you inform the Committee whether it be not a disease that will sometimes appear among a community of persons, affecting only one, two, or half a dozen individuals at a time, and not spread further?—In my experience, certainly, a few cases will occasionally occur when the ship's company is perfectly free from it.

You have spoken very highly of Mr. Hutchison, will you inform the Committee whether you have ever called him in to attend professionally upon yourself and your family?—I have in almost all cases.

Was the diet established in July last, in your opinion, the cause of the scurvy in the Penitentiary?—From all the experience I possess, and the facts I know, I cannot for an instant entertain a doubt of its being the cause of the scurvy prevailing there.

In your opinion, would one substantial good meal a week, ward off scurvy?—I think I have answered that question by stating the case of the midshipmen; that is the nearest fact I have upon that subject; on that fact I am of opinion, it would go a great way to ward it off, if not wholly do it.

Have you been obliged occasionally to desist from the use of citric acid, lemon or lemon juice, on account of diarrhoea?—Never when I have used it in the guarded manner I have communicated to this Committee.

Would you have considered yourself blameable, if you had exclusively recommended the use of oranges for the cure of scurvy, where you could have obtained lemons?—From my experience, I should have considered myself criminally so; I never could have forgiven myself, if I had so done, because I have never seen oranges produce the beneficial effect in scurvy, that I have seen lemon juice and citric acid do; and I only know two cases on record that have been cured by oranges, and those are in the transactions of the Royal College of Physicians, recorded by Dr. Heberden; in two cases that occurred at St. George's Hospital, he prescribed six oranges a day, and they got well; in another case he stated, that the oranges were too dear, and the hospital could not afford them, and they got well without them.

Have you any recollection how long you were in general, in eradicating scurvy from a ship, after you came into harbour?—One month, or three weeks; never more than a month in the worst condition we ever came in, with only thirty-six men free from the scurvy, and we went to sea well in a month.

Were the ships in general having the scurvy, on reduced allowance?—No; but entirely on salted meat. At the time I particularly allude to, 1806—1807, lime juice was not supplied to the ships companies in India, as it was afterwards, and the consequence was, four or five hundred men died of the scurvy in a year, in the East Indies, in the fleet under the command of the present Lord Exmouth; on representations being made at home, at the recommendation of the respective surgeons, it was served out afterwards.

Augustus Granville, M. D. called in; and Examined.

Dr. Granville.

HAVE you had an opportunity of seeing many cases of scurvy?—I have as a naval surgeon; I have seen scurvy in naval hospitals; I have seen a few cases on board two blockading squadrons, off Toulon, and off Lisbon; I have seen it on board captured vessels; in the West Indies; in the French army; on board a large Turkish fleet; in the prisons in Paris; and a few cases in the London hospitals and dispensaries, to two of which I myself belong; but if my experience were limited wholly to the two latter opportunities, I should consider my evidence as of very little weight; for scurvy must be seen in large congregated masses of people, to be properly judged of.

What, in your opinion, are the leading causes that originate this complaint?—I believe that every medical man of experience, that has seen scurvy on various occasions, will hesitate in giving an absolute answer to that question; for I have known instances where scurvy has arisen from want of proper nutrition; I have known it arise where the diet was too highly animalized; I have known it where diet was of a mixed kind, vegetable and animal, to a proper amount, and arising evidently from other causes; so that I cannot make up my mind with regard to any conclusive answer to that question. Perhaps I should state one or two facts in illustration; in three of the French hospitals, in 1817, at which period I resided in Paris,

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Paris, and was in the habit of attending them, scorbutic diarrhoea among the patients arose from nourishing them wholly on the gelatine obtained from bones, according to the process of which is very well known in the case of

a prison which I visited on many occasions; the scurvy in a very severe form broke out among some of the prisoners, so as in fact to people the infirmary with one-third of the population of the prison, which is generally 800, although the diet was similar in every respect to that of the other prisons in Paris, and the fact may be found in the report laid before the minister of the interior in 1819, that it was supposed to arise from the prisoners being clothed with linen cloth, merely a jacket and trowsers of linen, in a very severe winter.

In the latter case you have named, that of the was not the prison very much overcrowded?—There are in part of the prison, which is separated from any other, accommodations for 800 prisoners; but generally speaking there are more. At the period I am alluding to, they were removed immediately, so as to leave only 600 or 700; a chain of the convicts was sent out to Brest in consequence.

That prison is in general ill ventilated?—It is.

Is it not dirty?—In some parts; in the parts where solitary confinement is used, and where those that are about to set out for Brest are confined.

It is cold?—Very cold, particularly upon that occasion.

Has your attention been drawn to the dietary that was established in the Penitentiary in July last?—My attention has been called to it, not since I have been summoned, but previous to that, in consequence of the question interesting materially a person for whom I have a great regard.

What is your opinion as to the dietary in use from July to March last?—[*The witness referred to a paper.*] May I beg to ask what is the average quantity of meat on each ox head?

According to the last accounts stated in Mr. Hutchison's scheme, the quantity is stated to be eight pounds the head, with a pound for the bone; the quantity of green vegetables being taken at a pound for five people?—In consequence of my attention being drawn to this very question, I tried to recollect, and indeed had recourse to several documents which I brought with me from Paris, and which were intended for publication, with reference to the diet of the French prisons; and it is a curious coincidence, that upon calculating the nutritious part of the diet at the Penitentiary, from the 5th of July, as stated in Paper (A) p. 332 of the printed papers, with that which, on great and weighty considerations, has been adopted in all the prisons of Paris, such as, the two differ scarcely from each other. With the permission of the Committee, I will just read some very short notes, which will be shorter than any answer I can give.—In the generality of prisons in Paris, the allowances are, to those who are committed to take their trial and not obliged to work, one pound and a half of bread a day; the bread is made of three-fourths wheat and one-fourth barley; one pint of Rumford soup, which answers, I believe, to your soup here, the soup which is given to the poor here, by tickets; to those who are content to work, but refuse to do so indiscriminately, the same quantity of bread and water only; to those who are content to labour and work, the same quantity of bread daily, four ounces of stewed beef without bones, and a pint of broth with it, Sundays and Thursdays only; every other day, a pint of broth, with eight ounces of vegetables; no distinction as to sex.

Is there no water gruel?—No. Now it will be seen from that statement, that the allowance of bread daily is the same; that if you take an ox head to give eight pounds of nutritive animal matter, and the bones, by ebullition, to give, what is known from experiment, three ounces and three drams and a half of gelatine by mere ebullition, you will have had eight pounds from the ox head, one pound and three-quarters of gelatine from the bones, making nine pounds and three-quarters of animal matter for 100 persons; according to your scheme, giving one ounce and five drams of nutritive matter in each pint of soup, or three ounces and one-quarter per day. The vegetables employed may be, according to very recent experiments, considered equal to one ounce of nutritive matter; so that you will have had ten ounces of nutritive matter, independently of bread and of the gruel. The diet would then stand thus, in the scheme of the committee in July 1822:—One pound and a half of bread; one pint of gruel, equal to three ounces of bread. By

account, which has been published within the last two years, two pints of soup with vegetables are calculated to amount to four ounces of nutritive matter.

Dr. Granville.

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On comparing this with the diet in the prisons in Paris, there will be found no difference.

Are not the prisoners at Paris permitted to buy any quantity of food they choose?—Very few individuals indeed, and those out of abuse, and against which reform has been called for, rather than from system.

Is there not a person in each prison who is permitted, under licence from the to sell meat and vegetables to the prisoners?—There is, but under very great restrictions; none of those who do not choose to work are permitted to purchase, else the punishment of bread and water, of course, would become null.

The bread and water sentence is for contumacy in refusing to work?—It is.

With the exception of the Sainti, are not the prisons at Paris only for persons imprisoned for short periods for trial, and after trial till they can be sent to the chain, or to the different Maisons de dépôt in France?—That is not the only one; I could mention instances in which on my visits I have found persons who have been detained fifteen and even twenty years in the Sainti.

Did you observe, that the health of the persons who have been kept on that diet in the prisons in Paris, has been at all injured?—Cases of scurvy regularly occur every year in almost all the prisons, but they are, as it has been stated in this place before, sporadic, it will affect one, two, three, or half a dozen individuals, and stop, nor am I aware that any change of diet is made in consequence; nor do I think that it has been suspected the present diet is the cause of this annual appearance of the scurvy.

In your opinion, is the present diet in the prisons in Paris, with the want of proper ventilation, and the dirt of the prison, one of the causes of that disease, namely the scurvy, where it occasionally appears?—Decidedly so.

What was the medical remedy you have been accustomed to apply in cases of scurvy, where you have seen it?—Decidedly citric acid.

You consider that remedy almost as amounting to a specific?—I believe the profession who have had any experience have been agreed upon it, as they have been in some other specifics for other complaints.

Have you ever found it act upon the bowels and create diarrhœa?—Certainly; but I have not desisted from using it in consequence of that.

Should you think that, if many cases of diarrhœa arose from the application of the citric acid, that would really show you that those cases of diarrhœa were not cases of scorbutic diarrhœa, but of common diarrhœa?—I cannot answer that question; I am not aware of having given the lemon juice, but when I was perfectly sure that the scurvy existed.

Did it, in fact, often produce diarrhœa?—Not often, in my experience; I have had some experience, for I was seven years at sea; the sailors, when they were suspected, were subjected to the use of citric acid; the sailors disliked it very much, but they have gone on under my observation for weeks taking the citric acid, as a preventive rather than a cure, without the slightest symptom of diarrhœa; it was taken with sugar.

In those cases of diarrhœa you have met with, did you mix opium with the citric acid?—I did occasionally, but not systematically; not from any plan; I have tried it as every one has been in the habit of using opium, to check diarrhœa.

Did you find that practice successful when you tried it?—Generally, as well as in private practice.

Have you not made a mistake in your calculation; is not the ox-head to a hundred quarts, instead of to a hundred pints?—It is to be divided into two pints daily; in consequence of that, it would be only half as much as they have in the French prisons; but then there is the gruel here, which is equal to three ounces of bread more.

Should you think it an unfit experiment to try that dietary in a prison, under the observation of an experienced medical man?—I cannot answer that further than my experience goes; I have seen persons in prison have a similar diet, without any serious disease that can be ascribed to it; I see no objection, therefore, to its being tried, and especially if it were under the care of a medical superintendent.

If you were understood rightly, you never have seen a number of prisoners under the operation of this diet, because the prisoners you have seen in France, had nearly twice the quantity of animal food?—It appears now that they have; it would stand here as in the other diet; there would be instead of four ounces of nutritive animal matter, just one half of that which is ascribed here to the ox-head, but that would not make it the two ounces.

You

Dr. Granville.

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You have said, that you have seen a large number of prisoners subject to this diet in France, and that occasional illnesses of scurvy have been produced; that scurvy had been produced by more causes than that one, and that the diet might form one of the causes; having seen this reduced dietary, lower than that you saw in France, do you think that any of the diseases which have been produced, have been produced by that decreased diet?—I have not visited the Penitentiary; to answer that question, I should have been informed whether it is the scurvy or not.

Take it as the scurvy?—The diminished quantity of food, such as the proportion here mentioned would make it, would no doubt have a very lowering effect upon the constitution; but when I couple with that the fact I have just stated, where wholly animal diet produced scorbutic diarrhœa, I ought to hesitate before I give a decisive answer.

If that dietary, as you understand it, was presented to you, you having the care of a large prison, and being at liberty to make such representations from time to time as you would think fit, would you consent to follow that experiment?—If the gentlemen at the head of the prison consulted me on the subject, previously presenting the scheme of diet, and fully giving me liberty to make representations that should be attended to instantly, I should think myself criminal, particularly if there were public reasons, in not making the experiment; but I would not let the experiment go further than I found to be safe.

Is there any thing on the face of that dietary obviously so low, as to induce you to remonstrate against it, previously to its being tried?—No; from my calculation, I would not shrink from making the experiment.

Are you a colleague of the late medical superintendent of the Penitentiary, Mr. Hutchison?—I am.

How long have you known that gentleman, and what is your opinion of his temper?—I have known Mr. Hutchison since 1808; in all the occasions I have met him, either in public or private life, I have always found he conducted himself in a manner meriting the approbation of all who knew him.

In the charities to which you mutually belong, what has been his conduct?—His reputation in the navy stands very high, both as to humanity, great assiduity, and great skill in his profession.

Have you called upon Mr. Hutchison to attend professionally upon yourself or family?—I have occasionally had his services in my family, as a surgeon. I wish to state one additional fact, with regard to the scheme of diet. I do not quite agree upon the principle on which the committee of the Penitentiary seem to have acted, with regard to the exchange of potatoes for bread; for it stands here, “that the committee do substitute, at their discretion, potatoes for bread.” That, there is no objection to; but, “at the rate of one pound of potatoes for half a pound of bread,” that is not a proportionable quantity; for, from the information derived from the experiments of the same great chemist I have recently mentioned, upwards of two hundred experiments on different bread and potatoes, half a pound of bread requires one pound and a half of potatoes, to be equal in nutritive properties; they stand in the proportion of 125 to 375, or as one to three.

Have you ever been informed, that, in point of fact, that substitution has never been made?—Never.

Under any circumstances, would you substitute the use of oranges for the use of lemons, in case of diarrhœa?—Diarrhœa, arising from what cause?

From scurvy?—Not if I had the choice of either; and oranges I would use only where I had not access to lemons; and for a very good reason—that the citric acid being admitted to be a specific, a larger quantity given under a smaller compass, the sooner we are sure of curing the disease. Now a lemon, supposing it contained but one ounce of lemon-juice, according to the experiments of , contains sixteen grains of solid citric acid, which is the principal cure for the scurvy. Now an orange, supposing it to contain also an ounce of juice, will supply only one grain and a half of solid citric acid.

Would not the citric acid of the lemon be much more likely, though given in much smaller quantity, to affect the bowels than the orange?—I observed, in my former evidence, that it would not; but that if it did practically, which it seems, in some instances, it would not deter me from using it, there are means of counter-acting that baneful effect of the citric acid, without its doing away with the principle derived from the substance itself.

Would not you, on general principles, if you found any medicine too violent in

Dr. Granville.

(May 30.)

its effect on the patient, in any way dilute that medicine?—Decidedly so; but this is a diminution of the principle of citric acid and not a dilution of it.

Is it not given in a more harmless form?—I should say, without hesitation and from experience, that in cases of diarrhoea, the orange juice is more likely to than the citric acid, and for this reason, that the citric acid is in a higher proportion in the orange as combined with the acid of apples, which is known to be hurtful in cases of diarrhoea, and as you must give it in large quantities, the pulp matter being so great would of course derange the stomach, which is already, by the disease, but out of order.

Suppose you give it in juice?—There is still a great quantity of mucilage which belongs to the orange, which does not belong to the lemon; a good deal of fibrous and pulpy matter.

P. M. Latham, M. D. further Examined.

Dr. Latham.

WILL you state your opinion on the use of the citric acid in the Penitentiary?—We employed this citric acid only in the infirmaries, and not in the prison at large, and we found it necessary, in every case in which we administered it, to give it in combination with opium; we still had reason to believe that it irritated the individuals; we tried every possible expedient of combining the citric acid with other medicines, such as aromatics, still it seemed to us to have the same injurious effect on the bowels, and at length we were driven, with great reluctance, from its employment altogether.

Did you administer it in cases that you would consider as decidedly scorbutic?—Undoubtedly.

Having the same effect?—Yes.

Equally affecting the bowels in decidedly scorbutic cases, as in cases of a more doubtful nature?—Undoubtedly; we recurred to the use of citric acid in the case of convalescents, and were obliged to give it up; convalescents who had had diarrhoea in combination with their scurvy.

What is the proportion between the lemon and the orange; how many oranges would produce the citric acid in one lemon?—That has been stated by Dr. Granville, twelve.

Are you of that opinion?—I never made the experiment.

Peter M. Roget, M. D. further Examined.

Dr. Roget.

YOU have heard what is stated by Dr. Latham, do you concur in the opinion he has just given?—I concur most perfectly.

AT THE PENITENTIARY.

Lunæ, 2^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Thomas Rickford, called in; and Examined.

T. Rickford.

(June 2.)

ARE you steward of this establishment?—Yes.

How long have you been so?—Three years.

The Committee see, in the scheme of dietary which was introduced on the 4th of July 1822 into this establishment, it is therein stated, “the soup to be made with ox heads, in lieu of other meat, in the proportion of one ox head for about 100 male prisoners; the same for about 120 female prisoners;” why were ox heads taken in lieu of other meat?—The other meat was discontinued, and ox heads introduced to make the soup instead.

Upon what principle was the proportion of one ox head to be divided among 100 male prisoners, and 120 female prisoners, formed?—I was asked, what proportion of ox heads I thought would make the soup equal to what they were then having; and I said, one ox head to each pentagon.

What were your reasons for saying so?—When the roast beef for Christmas fell on the meat day, we purchased ox heads to make the soup next day; at that time we made use of ox heads to make it; one we were allowed by the new dietary.

What is the average weight of each ox head?—Twenty-seven pounds.

To

T. Rickford.

(June 2.)

To whom did you make that observation?—To Mr. Pitt.

Did you communicate that also to the committee?—No.

Was Mr. Pitt going round to make inquiry upon this subject?—Yes; I went round with him to each of the kitchens, at the same time.

And you, in the course of conversation, made that remark to him?—Yes.

Did you think that giving one ox head in each pentagon was equal, in point of quantity, in meat to the quantity in the soup under the old dietary?—Not in quantity; but it would make the soup equally good in point of nourishment.

If it was not in the quantity of meat, what was it that would give the nourishment?—The nourishment from the bones, and the meat also from the head, was in the soup; in the other soup there was no meat, merely the liquor from the meat of the previous day.

Then the Committee understand you to say, that it was your opinion that the soup, with the juice of the ox head and the meat of the ox head in it, would have been equal in quality to the juice of the six ounces of meat, without the meat, under the old diet?—Yes.

Repeat again why you formed that opinion?—The meat from the ox head, with the nourishment from it, was equal to the soup made from the six ounces of meat for each prisoner.

Why do you think so?—When the roast beef was given under the old system twice a year, when it fell on the meat day, we purchased ox heads to make the soup; we purchased four ox heads among 708 prisoners.

And you considered each head weighing twenty-seven pounds?—Yes.

And the soup you gained from that, you considered as good as that you got under the old dietary?—Yes.

Under the new dietary, supposing you had 101 prisoners, how much ox head did you send?—One and a half.

Supposing the number of prisoners to rise, how soon did you increase the quantity from a head and a half?—When they arrived to 151, we increased it to two; thus, kitchen, N° 3, was having three heads and a half for 202 prisoners.

What other ingredients was put into the soup besides the meat?—They add one pound of vegetables to five prisoners.

What vegetables?—Celery, carrots, turnips, and parsnips.

Does that continue through the winter?—One winter we had no carrots, and I purchased them from Covent Garden.

Any potatoes?—Yes, at one time; but they were discontinued.

Any peas?—Yes, peas and barley alternately.

Did not Dr. Hutchison think, at one time, that a pound of vegetables to five men was not sufficient?—Yes.

What was done in consequence?—It was raised from one pound to four.

Could you get that sort of vegetables all the winter through?—Yes.

Do they grow upon the premises here, or do you buy them?—We generally have them; but at that time we were out, owing to the change of dietary.

What quantity of vegetables did you give between the 4th of July 1822 and the 28th of February 1823?—One pound to five.

When was it altered from five to four?—I cannot tell, without reference to my book.

Did that include the barley and peas?—No.

What quantity of barley were they allowed?—A gill and a half.

From whom did you get your directions, as to the quantity of barley, peas and vegetables, to be put into the soup?—From no one.

Did you exercise your own discretion upon it?—I understood from the cook, when I commenced steward, that a gill was always what they received, which was discontinued in the new dietary, except the peas; they had an additional half gill allowed them.

Do you grow in the garden here sufficient vegetables?—Yes, excepting potatoes.

Have you grown potatoes?—Yes.

What became of them?—They were sold.

Why?—They were very bad.

The ground grows very good carrots?—Yes.

Had you any conversation with any other member of the committee, as to the quantity of ox head to be put into the soup, except Mr. Pitt, before the new dietary was established?—No.

P. Rickford.

What quantity of bread did you give?—One pound and a half to each male prisoner.

(June 2.)

What quality of bread?—It was then brown bread.

When are you speaking of?—To the 4th of July.

How much bran was taken out?—Twelve pounds and a half each sack.

What quantity is taken out to make the white bread?—I believe, the whole of it.

You do not know the quantity?—No, I do not.

What is the quality of the bread now?—White bread.

James Eversfield, called in ; and Examined.

J. Eversfield.

ARE you a cook in this establishment?—Yes.

In what pentagons?—In the kitchen of 1 and 2 pentagons.

Was any inquiry made in your kitchen as to the quantity of meat in the soup, in the dietary of July last?—The time the alteration was made.

Who made the inquiry?—Mr. Morton Pitt.

Did you answer that inquiry?—Yes.

What did you tell him?—He asked me what would be sufficient to make good soup for the prisoners each day, and I told him the least quantity would be two ox-heads for each pentagon.

How many were in each pentagon?—One hundred and fifty in each pentagon.

That would be two ox-heads for 300 prisoners?—No, four for 300.

That was a larger allowance than was allowed?—Yes.

Should you have thought that the soup made out of two ox-heads for each pentagon, would have given the prisoners soup as good as they had before?—Yes; I think in preference to it.

Why should you have thought it would be better?—We had only one sent in for the soup of the preceding day, when we had roast meat for the prisoners.

So you thought double the quantity would have made as good soup as they had before, if not better?—Yes; we had only one before; that was only one day in each six months.

How many quarts of soup did you make out of four heads?—A quart for each man.

Did you make the same quantity out of one head before?—Yes.

Was any other inquiry made of you, of the quantity of meat in an ox-head, in February last?—Yes; Mr. Hutchison asked me what might be the quantity from those heads.

When was that?—Upon my word I cannot say; it was the beginning of the year; I told him it was about eighteen pounds of meat taken off the two heads.

Was it before or after they were boiled?—After they were boiled.

What is the weight of an ox-head before boiling?—They allowed them to be twenty-seven pounds, average weight.

By the contract?—Yes.

According to your statement, two ox-heads produced eighteen pounds of meat after boiling?—Yes; nine pounds each, eighteen pounds for the two.

What allowance do you make for the bone; how much bone is there in an ox-head?—I never weighed it.

Did you take out eighteen pounds of meat, exclusive of bones and anything that might boil?—Yes, after every thing was cleared away.

How do you make that out; state to the Committee how you made the soup?—I used to take the heads, and after cleaning, put them into two bags, and put them with the barley into the liquor in the afternoon, at one o'clock, and boil them till twelve the next day; and when I took them out of the bags the bones were white and dry then, and we took them up, and chopped them up on a tray.

What became of the water in which they were boiled?—That was the soup.

Then there were eighteen pounds of meat to put into the soup after the boiling?—Yes.

You took nothing out but the bones?—Yes; there was nothing but jelly.

What quantity of water did you boil them in at first?—About thirty gallons.

Before you put them into the soup?—Yes.

You first put the heads into thirty gallons of water in a bag, and after boiling them for about six hours, you took them out, and the meat then came from the bone?—No; I drew this water off they were boiled in in the morning, then I put in

in the barley or peas, and put in the bags with them again, and after it came to a boil put the liquor in drawn off over night.

At what part of that proceeding did you weigh the meat?—About twelve o'clock.

After you had drawn off the soup you took out the bones, and you then weighed the meat, did not you?—Yes.

And it weighed eighteen pounds?—Yes.

After that you put back the water with the barley?—Yes, and that made the soup up.

Whatever escaped from the meat into the water did not form any part of your weighing?—No, but it was put into the soup.

Whatever escaped from the meat into the thirty gallons of water in which you first boiled the head must be taken in addition to the eighteen pounds?—Yes, certainly.

What do you consider an ox-head to be equal to in meat?—That I cannot say; they allow them in the contract to weigh twenty-seven pounds.

Did that make better soup than the other?—Yes.

How much soup would twenty-seven pounds of meat make, equal to the soup you made with one ox-head?—It may make thirty gallons of good soup, with barley and peas.

How many gallons would an ox-head make?—Not above half the quantity.

Does that arise from the bones in the ox-head?—Yes, the bone.

Or the quality of the meat?—There is but very little meat on an ox-head, not more than eight or nine pounds, and thirty pounds of meat must make it much better.

Which do you consider the best, the ox-head or the shin of beef?—The shin of beef.

Weight for weight?—Yes.

Which do you think the best for soup, weight by weight, the ox-heads or the clods and stickings?—The clods and stickings.

As containing more juice?—Yes.

Are you reckoning meat against meat, or meat against bone and meat?—Meat against bone and meat.

Meat against meat the Committee mean?—I think ox-head would be as good as the other.

Do not the brains melt away in the first hour's boiling?—Yes, we put them into the bags altogether.

Mr. John Pratt, called in; and Examined.

HOW long have you been surgeon to this establishment?—Seven years.

How soon did you observe any alteration in the appearance or strength of the prisoners after July last?—I think about the month of October I began to pay some little attention, to notice it in some degree, a pallidness in their looks.

Did you observe yourself, or was any report made to you by others, that they were less strong?—No, not at that time.

How soon was that report made to you of their deficiency of strength?—At some time on going round with the matron; the turnkeys had also complained of their inability to perform their work.

Male as well as female?—Yes; more particularly the females.

Did the prisoners complain to you of their feeling a want of additional food?—The females in particular, that they felt a diminution of their strength, and weakness of their stomachs.

In October?—Yes.

Did those complaints continue all the winter?—Yes, they continued more or less during the whole winter.

Did any of the officers of the prison, such as the matron, tell you the same thing, that it was their observation as to the females?—Yes.

Did the superintendent of the works say the same as to the males; the miller or other officer?—I did not receive much complaint from him.

Did you make any report of that to Dr. Hutchison?—I think I did once or twice mention it, that there was a pallidness about the countenances of the people, but he did not think it was the case on going round.

Did you make any report to the committee?—I did frequently in my journal mention that there was a pallidness and want of strength in their stomachs.

*R. W. Dampfield,
Esq.*

(May 30.)

those prisons; how can you account for that, they having had only that, which you consider to be a diet that must induce the disease?—What vegetables does the question suppose?

With their meat, on the Sundays; the meat boiled up with vegetables, greens and carrots and potatoes; but on a Sunday only?—The fact I have mentioned, with relation to the midshipmen on board a ship, would seem to apply to their situation.

You have stated, that you consider that food to be daily necessary; supposing it to be only once a week, and yet the prisoners to continue in perfect health, and their health to improve in proportion to the time they continue in the prison, the scurvy having never occurred in many prisons; how do you reconcile your opinion with the fact?—I do not attempt to reconcile it; I merely give the result of my own experience, and the observations founded upon it; my facts and experience enable me to draw a conclusion different from that which is the result at those prisons.

Your experience is an experience on board ship?—Chiefly.

And your experience does not arise from your knowledge of the prisons either of this kingdom or any other part of the world?—No.

May not the scurvy which occurs on board ships arise from the quality of the food, and not from the diminished quantity?—I have stated that it arises from the use of salted diet, that quality of food is not good, because it is not sufficiently nutritive.

Does salt deprive the meat of its nutritive quality?—The process of salting certainly does, because all the animal juices escape in the process of salting; soup cannot be made from salted meat, the water in which it is boiled is always thrown away.

Then is it the salt itself, or the deprivation of nutrition that causes the disease?—I think that the salt contributes to it certainly, and I also think that the deficient nourishment extracted from it is another cause, for in most of the cases of scurvy there is a considerable degree of emaciation induced.

Does not confinement in general tend to make persons fat?—Speaking of the whole animal kingdom, confinement generally does tend to make them fat.

So that it might have happened that persons might go out of prison increased in weight, without being increased in strength?—Certainly; and even where scurvy prevails some of the persons are so bloated that I think they would weigh more than they did before they became so affected.

Do you think that persons who have been confined for two years, to a diet such as you have just had described to you, might quit prison with an increased weight and appearance of health, and yet have their strength by which their bread was to be got considerably diminished?—I should certainly think that their strength might be decreased whether their corpulence was increased or not.

Do you think that a person who had got so fat, would be able to go through as hard a day's labour as he would the day that he was committed to prison?—In my opinion not.

Does that arise from the person being kept in a state of inactivity, or do you ascribe it to the diminution of diet?—According to my experience it would be attributable to both.

If you were informed, that there was a prison in which the allowance every day, was one pound and a half of bread, one pint of gruel, and one pound of potatoes, four times a week, and vegetable soup for the other three days, would you conceive it possible that such a diet could be long continued without producing scurvy?—All things are possible; that may be possible.

Is it probable that such a diet could be long continued without producing scurvy?—According to my experience, not.

Would a person under the confinement alluded to in the Penitentiary, with any diet, be equal to the performance of a day's work on going out?—I think on a mixed diet of animal and vegetable food he would be, if he had had a moderate degree of exercise.

Supposing an Irishman, who had never lived on any diet but potatoes, and milk, to be committed to the Penitentiary, or any other prison in the kingdom, and fed on the same diet he had been living on, would that person be subject to the scurvy, or not?—I have been in Ireland; I think I have visited some of the meanest huts in Ireland, and I never saw an Irishman who was fed so low as on potatoes and milk; I think I have invariably seen that they had hens who laid eggs, I have seen them in general; I have also seen a pig in the house; I have seen a cow generally either in one cabin, or amongst two or three cabins, from whence they made butter and

and cheese; and I conceive, upon that diet in the Penitentiary, an Irishman might enjoy his health, if you gave him butter, cheese, milk, butter-milk, eggs, and some vegetables, and a slice of bacon now and then.

*R. W. Dampfield,
Esq.*

(May 30.)

Then it is to be understood that it is sufficiency of diet, and not its being animal food, which is actually necessary for the prisoners who are committed?—I consider that it must be a mixed diet of animal and vegetable food, not in beef or mutton necessarily, but there are many other articles of animal matter which constitute part of our diet, and must be all included in a subject of this nature.

Do you conceive that a man set to weaving, who had not been accustomed to it, and kept to it for twelve or fourteen hours a day and doing nothing else, would be so equal to do a day's work as if he had been accustomed to it?—He would be as equal, but inasmuch as he would bring other muscles into action which were not previously employed in weaving, those muscles the next day would feel weary; in order to do a day's work of any kind with ease and without pain, a man must be accustomed to it.

Having seen so much of the scurvy at sea, what was the medical treatment that you were in the practice of using?—My medical treatment consisted invariably in administering citric acid or lemon juice, and in such necessities as the surgeon had in his charge.

Did you find the use of the citric acid affect their bowels?—The citric acid, when I began to employ it in cases of scorbutic flux, I apprehended would affect the bowels; and in consequence of that apprehension, with a quarter of a pint of lemon-juice I began the administration, with one grain of opium, and, very much to my satisfaction, I found that it did not disagree with the bowels; and therefore, in all cases at sea, where I had to contend with the scorbutic dysentery or scorbutic diarrhœa, I administered four ounces of lemon-juice to a grain of opium, either twice or four times in the four-and-twenty hours; and if that did produce any uneasiness in the bowels, I gave them aromatics and carminatives always.

Did you find ripe oranges as beneficial as lemons?—I never found oranges so beneficial as lemons, there is no fact of which I am so well convinced, as that the principle which cures scurvy, as a medicine, is citric acid.

Almost in the nature of a specific?—Almost; it has been given in fresh lemons, it has been given as preserved in bottles, and it has been administered in the pure crystals of citric acid, and in each instance, in each form, it has shewn its beneficial effect; the juice of oranges is useful in the proportion that it contains the citric acid; Seville oranges contain more citric acid than the sweet oranges; sweet oranges contain very little citric acid.

Then they are useful only as other vegetables would be?—Yes; I conceive that they are useful as a nutritive vegetable, as containing sugar and mucilage.

Would the use of sugar with the citric acid diminish its effect?—No.

Might it not lessen the tendency, which it is described sometimes to have, to create diarrhœa?—According to my experience, citric acid, administered in the way I have spoken of, I have very seldom seen to disagree.

Did you, in the cases of diarrhœa in which you employed lemon juice, give it in combination with opium?—Yes, always.

How many grains of opium to so many ounces of lemon juice?—We generally gave a grain of opium with every four ounces of the juice; and in harbour, when the patients ate fresh lemons, I gave them peppermint and laudanum.

In common cases of diarrhœa, that are not scorbutic, would the use of citric acid affect the bowels?—I believe it would; and if the citric acid, in scorbutic diarrhœa, affected the bowels much, I should deem it a proof that the scurvy was receding.

The Committee understand you to say, that from your experience as to the effect of citric acid not operating on the bowels in the cases of scorbutic diarrhœa, you would consider the fact of that operation taking place upon the bowels as a proof that the disease was abating?—Yes.

Are you a colleague of the late medical superintendent of the Penitentiary, Mr. Hutchison?—I am.

How long have you known that gentleman, and what is your opinion of his temper and general deportment, and his attention to the sick of the charity to which you mutually belong?—I have known Mr. Hutchison eighteen years; I have always found him a man of most excellent temper; he is frank, open, generous, and communicative; I invariably found him humane even to his disadvantage; I have experienced his humanity myself when I was a patient of his in Deal hospital, and it was upon

Mr. J. Pratr.

(June 3.)

Was that journal communicated to the committee?—It was, on the days on which they sat.

Is it the practice for the committee to look over, when they sit, the journal of the medical officers?—I believe so.

Have you brought your journals with you?—Yes.

Refer to any passage in your journals during the last winter, in which you have stated your opinion as to the deficiency of food, or the state of health of the prisoners?—In the month of September last, in a letter I sent to the committee it is there stated, “although the prisoners appear to be in good health, yet I perceive
“ a pallidness about them, which to me appears to arise from the present dietary,
“ which I am fearful we shall find shortly will increase, accompanied with a dimi-
“ nution of strength, and they will be unable to do any laborious work, particularly
“ weaving, &c.”

Is that your monthly report?—Yes.

Did Dr. Hutchison go round with you?—Yes, he did.

Were any observations made between you, upon that subject?—Not to my knowledge.

Did you mention it to him?—Yes, I did; and he knew I objected to the dietary, thinking it was insufficient; on the 4th of February 1823, I said, “we have five or
“ six cases partaking of the nature of scurvy, which I fear can only be accounted for
“ from the dietary,”

Was not that letter delivered in on the 8th?—I believe it was, though written on the 4th, that being the first committee that met after the Report; on January the 11th, 1823, in the journal, I say, “I fear the severity of the weather, accompanied
“ with the diet, has been the cause of the very great increase; I think it is obvious
“ that the diet, although sufficiently nutritious for a short time, will, when continued
“ for any considerable period, produce a debility in the stomach, which having no
“ substance to act upon must destroy its muscular action; the food being in that
“ prepared state leaving very little either for the saliva or the gastric juices to do, and
“ renders the constitution more liable to receive disease, and particularly so when the
“ mind is affected, from the loss of liberty; and we find the females are more sus-
“ ceptible and subject to more diseases than males:” and on the 17th of January I again say, “I beg leave to observe, that I have found several of the males com-
“ plaining of the state of their stomachs, and a degree of nausea and emptiness.” On the 1st of February I mention the case of Margaret Hayes, “her debility arises
“ from, if I am informed right, her not taking her food.”

Were statements made to you, on the part of the matron, that, in November or December, some of the females could not keep their broth upon their stomachs?—Yes, certainly, there were.

At evening or dinner time?—Particularly in the evening.

Was any thing done?—A change was made, by giving them warm water.

By whose advice or authority was that given?—By the advice of Dr. Hutchison.

Did you concur in it?—Yes, I did.

Are you certain he was present?—Yes. On February the 8th I say, “Permit
“ me to state, that I found, both in the male and female pentagons, a diminution
“ of strength and loss of appetite, but more particularly among the females; their
“ countenances are pallid, and they complain of weakness in the region of the
“ stomach; many, I fear, cannot take down their soup. I am fearful we shall, in
“ a short period, find a very great accumulation of disease, arising from debility;
“ and I certainly do not think the present diet sufficient, to give them *that* support
“ which it is necessary they should have.” On the 27th of February I have remarked,
“ There has been a great number of slight attacks of diarrhoea in the pentagons, but
“ which are doing well; this has been both in the males and females; and there is,
“ I apprehend, the scurvy among them, which has made its appearance on their
“ legs, having discovered spots, although the grand mark distinguishing that disease,
“ the wasting and spongy appearance of the gums, had not taken place.”

When was that delivered in to the committee?—On the 28th.

At what time did diarrhoeas become prevalent among the men?—Diarrhoeas became prevalent among the men in the month of March more particularly.

Were they prevalent earlier in the winter?—In a slight degree they were; I mention in February, “There has been a great number of slight attacks of diarrhoea.”

Was that circumstance of the warm water communicated to the committee at any time?—I do not think it was; I do not recollect it.

... You

You have stated, that early in February you discovered some appearance of the scurvy?—In some few cases.

Did Dr. Hutchison communicate to you at all the scurvy he had discovered in January?—Certainly not; for I twice asked Dr. Hutchison, “What is this disease?” “Cannot say, at present.” He declined answering.

Did Dr. Hutchison always resist the opinion you seem early to have entertained, that the dietary was the cause of it?—I always understood he did.

The Committee understand you to say, then, that from the beginning you always considered the dietary too low?—Certainly I did. I have a letter to that effect, which I wrote to the committee, on the 15th of March 1822:—“Gentlemen: Permit me to offer to you a few observations on the dietary of the prisoners. At present, it certainly appears to be too abundant; at the same time, it is my opinion, that animal food should not be totally abolished. I am aware there are many objections to giving them meat in a solid state; but it should be taken into consideration, that they are confined for a considerable time; and under those circumstances, a total deprivation I am fearful would be injurious to their health. They have now four meat days a week: if they were to have only three, I think it would be sufficient; and it might be reduced in quantity about one ounce from each mess; their gruel and vegetables should be continued in the present quantities. If it should be your determination to discontinue the meat, permit me to recommend they should be allowed soup, made of ox cheek, legs of beef, and cow heels, which, being made with proper care, would be very nourishing; and it might be advisable that ‘Papyon’s digester’ should be used, for the purpose of dissolving all the nutritious parts of the bones: this, I think, would be a good substitute for the meat. Prior to serving the above, it should be strained through a very coarse strainer or sieve; by which means all the residue would be taken from it, and that would prevent the prisoners complaining that one had a greater portion than the other. At the same time, I am fearful that a long continuance of soup, however strong, might produce affections of the bowels.

It appears on the minutes of the committee, of the 21st September 1822, there is this entry; “The surgeon’s report for last month submitted, upon a remark in which, relative to the dietary, Dr. Hutchison had been requested to attend the committee, and being called in, he gave his opinion thereon in a very satisfactory manner;” were you present at the time that opinion was given?—No.

Have you ever recommended more food for the prisoners than the committee were inclined to give before the new dietary?—Yes.

Have you ever recommended tea and porter for prisoners not in the infirmary?—I have for the prisoners in the pentagons; more particularly for the laundry women.

Do you think that the work in the laundry requires greater support for the strength of the female prisoners than what they already receive?—I certainly did think that the women in the laundry required more support than they did receive; not more than they do receive.

At what time?—From the commencement I have said so.

At present they receive more in the way of nourishment than they ever received?—A great deal more.

Under the old dietary, had not they a double allowance of meat on washing days?—Yes.

Yet you always thought they should have more?—Yes; I always recommended that they should have porter.

Do you know of any rule or practice in the prison to remove persons from the dark cells to the infirmary, previous to being sent into the pentagons?—Certainly not.

Did that ever take place?—Never, except in the case of disease; when I have visited a man in a dark cell, and found him unwell, I have removed him into the infirmary; but that has very seldom occurred.

In that case, has not the man gone back into the cell when he has recovered?—He has.

Is illness a very common circumstance after long confinement?—I have only seen it in one case; that was a case where the party had been confined a long time, and the spirits were very much depressed.

What number of patients are in the infirmary?—439.

How many are there in the prison?—840.

More than half are in the infirmary?—Yes; but we do not look upon all of them as sick.

Mr. J. Pratt.

(June 2.)

Those who are in the infirmary are under medical treatment?—Yes, merely from labouring under the present disease.

Have you not, of late, kept every man that has gone into the infirmary a considerable time, by way of precaution?—Yes, certainly; the major part of them are there for precaution.

Mrs. Wilkinson, called in; and Examined.

Mrs. Wilkinson.

HOW long have you been matron in this establishment?—Three years.

You have been in the service of the establishment a longer period?—Yes, seven years.

Ever since its commencement?—Yes.

How soon after July last did you make any observation as to the appearance of the female prisoners?—About the month of October I perceived a very visible alteration in their looks.

Had the women made complaints to you during that period?—Yes, they had.

What was their appearance which struck you?—A pallid look in general, and I thought a diminution of strength in general.

Did they complain that their strength was diminished?—Yes.

Did you make any communication of that to any one?—I believe I applied to Mr. Pratt.

Did you communicate the same to the visitors?—I do not recollect at that time that I did.

Did you communicate it at that time to the committee?—No, I did not.

Did you mention it to Doctor Hutchison?—No, I did not.

How soon after that time did you communicate the observations you had made, as to the apparent health of the prisoners, to any of the persons belonging to the establishment?—I communicated it to Mr. Pratt, and I believe to Mr. Bennet.

How soon?—About November; October or November.

Did the prisoners complain during all the months of November, December and January, of feeling a deficiency of food?—Yes; I have heard the prisoners complain to Dr. Hutchison when he paid the monthly visit.

Did their stomachs ever reject the soup?—Yes; latterly it did.

At what period?—I believe about December.

Did it happen in any particular ward, in November?—In pentagon 4, it appeared; but I believe in most of the wards.

To any extent?—Several of the task-masters of Pentagon 4 used to complain.

How soon was warm water allowed in any particular ward in the evening?—In November.

Was it in the nature of tea?—No; the women applied to Dr. Hutchison, stating that their stomachs would not allow them to retain the food.

Was it given?—Yes.

How long did they use it?—Until the time gruel was substituted instead of soup at night.

What was the date of that period?—Some time in January; by the committee it was done, I applied to Mr. Courtenay, the visitor.

Was Mr. Pratt present when that complaint took place?—Yes.

Did Dr. Hutchison say what that weakness of stomach was owing to?—No: I had very little conversation with Dr. Hutchison, he scarcely ever spoke to me.

Since when?—Since the month of June.

When you made any remarks about the state of the weakness of the prisoners, what did he say?—I made the remark about the 3d of January, when he went his rounds with Mr. Pratt, and upon coming out of the last door I observed, that the women looked very bad indeed, the answer he made was, that he never saw them look better.

You are quite certain of the fact, that your observations were directed to the state of the women in October, and that all October, November and December they were looking ill, and in January you thought them looking remarkably ill?—Yes.

Did you hear the women complain to Dr. Hutchison?—Yes, many of them of weakness, and the want of more substantial food.

When did they make those complaints to him?—In the months before January.

Did you communicate to Mr. Bennet your opinion upon the subject?—Yes.

Did you desire him to write to Mr. Holford upon the subject?—I did.

When was that?—In the months of November, December and January; it was the latter end of November or December,

Have

Have you any information you wish to communicate to the Committee as to the state of the female part of the Penitentiary?—No, not that I am aware of.

Mrs. Wilkinson.

Is there any practice in the Penitentiary of sending the women to the infirmary after they are taken out of the dark cells, before they are returned to the prison?—No, certainly not; unless they are ill, and then they are ordered in by the doctor.

(June 2.)

That would happen as to any place of confinement, not a dark cell?—Yes.

John Lodge, called in; and Examined.

YOU are taskmaster in this establishment?—Yes.

J. Lodge.

How long have you been so?—Three years and three months.

Was there any period, since you have been taskmaster, in which the prisoners of the first class have not had more than about five minutes walking in the course of twenty-four hours?—No, certainly not.

Did you ever hear such complaints made?—No, never.

Did you make any complaint to any one, in the last autumn, that the prisoners had lost their strength, and that they were not able to do the same work they did heretofore?—Not to my knowledge.

You never said that to any one?—No, not to my knowledge.

Did you observe that they did not work as heartily?—They did not, certainly.

Do you recollect what part of the winter it was?—The latter part of the winter.

December or January?—January and February.

Did you observe that their strength appeared to decline as the fall of the year approached?—No, I did not.

Did you observe any alteration in their looks?—There was an alteration in their looks, in January and February.

And in their apparent strength?—I never found them fall off in their work till latterly.

Have you made that statement to Drs. Roget and Latham?—No; I believe I was never asked the question.

After the dietary had been increased in March last, did the prisoners work more heartily?—No; nor yet to this time do they work better than they did in the winter.

Neither before the new dietary, nor afterwards?—Before, there might have been; since, there has been no difference.

Do they like working at the mills?—I have never heard them express any aversion to it.

You would find no difficulty in getting the second class to volunteer to work?—I have often had them volunteer lately to work at the water-engine.

Peter M. Roget, M.D. and Peter Mere Latham, M.D.; again called in; and further Examined.

HAVE you any later account to give the Committee, as to the state of health in this establishment, since you were last examined?—The cases of diarrhœa, although they are more numerous, are, on the whole, milder in their character; there are several cases that are very severely affecting of diarrhœa.

Dr. Roget,

and

Dr. Latham.

Females more than males?—About an equal number.

Have the appearances of scurvy subsided?—They have, very generally.

Can you say that the severity of the sickness is diminished?—The severity is certainly diminished.

Much diminished?—Yes, considerably.

Doctor Latham.—The other day it was stated by Sir Gilbert Blane that two-thirds of the prisoners laboured under a considerable degree of scurvy; he took his test from the state of the men's gums, without looking at their legs, and it is quite clear that in some of those in whom he considered scurvy to exist, by that test, their gums were affected by mercury.

He was not aware of the treatment they were under?—I believe he overlooked it; we suggested it in a case or two.

You concur in opinion with Dr. Roget, that the appearances of the scurvy are on the decline, and that the cases of diarrhœa, though more numerous, are more mild?—Yes; I do not know the exact number, but there are above 180 females under medical treatment, and of those 180 there were only to be found 27 suffering diarrhœa, all the rest have been well, without any symptom of disease, for different periods, between two days and ten days.

Dr. Roget
and
Dr. Latham.

(June 2.)

But still under medical treatment?—Yes.

Does the same proportion exist as to the males?—Yes, I think so.

How many of the 439 patients do you consider convalescent?—

Doctor Roget.—More than two-thirds certainly.

The Rev. *Thomas Rennell*, called in; and Examined.

Rev. T. Rennell.

YOU were present at the meeting of the committee held on the 11th of January 1823, at which it appears that it was resolved that a pint of gruel should be furnished to each female prisoner in the evening, in lieu of soup?—Yes.

Under what regulation was that done?—Who first suggested it I cannot immediately call to mind, but I have some belief it was the matron; it was discussed in the committee, and the opinions both of Dr. Hutchison and of Mr. Pratt were taken, it was approved by them, and ordered.

Did it appear at that time that the women were unable to take their soup in the evening?—Yes, upon the representation of the matron.

Was any question at that time put to Dr. Hutchison, as to whether the dietary was doing mischief in the prison?—There was, by myself.

What was his opinion?—His opinion was, that the increase of the disease which then anxiously engaged our attention, was not at all to be attributed to the change of the dietary.

Were you present on the 24th of May last, at which time the new dietary was finally determined upon by the committee?—I was.

There was one member rather averse to the change?—I remember there was but one.

Perhaps you recollect who that one was?—Myself.

Do you recollect whether any person stated to the committee any thing respecting the opinion of Dr. Hutchison upon that dietary at that time?—I certainly recollect a very long statement being made by a then member of the committee, Mr. Morton Pitt, and I certainly, at that time, was impressed with the notion, that Dr. Hutchison coincided with Mr. Pitt in his opinion of the dietary then appointed, that he had no objection whatsoever to its adoption.

Did you form that opinion from what was stated by Mr. Pitt, or by Dr. Hutchison?—By Mr. Pitt, and for this reason, that it entirely took away any medical objections to the dietary, and therefore prevented me urging my objections to the new dietary upon medical grounds.

Were your objections entirely upon medical grounds, or because you thought it would be attended with inconvenience and disturbance?—They were both upon medical grounds and moral grounds; but the opinion of Sir James M'Grigor and Dr. Hutchison, as reported by Mr. Holford and Mr. Pitt, so far stopped me from making any objections upon medical grounds, that I did not state them.

Edward Bootle Wilbraham, Esq. a member of the Committee, Examined.

E. B. Wilbraham,
Esq.

FROM the printed paper delivered into the Committee on the 2d of May, it appears that Dr. Hutchison, in a letter addressed to the superintending committee of the Penitentiary, complains of the conduct of the committee in a transaction which took place between them and him in June 1822; can you explain the circumstance on which he founds that accusation?—I was much surprized at the observation in his letter, and at his adverting to the correspondence which had taken place between him and the committee in the month of June last, in terms denoting a belief in any unfriendly feeling or unhandsome conduct towards him on the part of the committee, as the transaction in question ended by his writing them, through me, the accompanying letter of the 17th June, and he has never given any member of the committee, from that time till he sent some of us a copy of that letter referred to in the question which he has lately printed in a pamphlet, reason to believe he doubted their kind intention towards him.

[*The letter above alluded to, and the answer to the same were delivered in, and read, as follows:*]

“ Dear Sir,

Leicester-square, 17th June 1822.

“ The communication conveyed to me last night, by Dr. Granville, from the deputation of the committee, has not only relieved my mind from an infinite degree of anxiety, but has impressed me with sentiments of the highest gratitude to yourself and the other members of the committee concerned in the late most painful discussion, for your very friendly and most kind demeanour towards me.

“ By

" By whatever misconception of your letters, my friends and I happened to receive the impression that I had actually fallen in the estimation of the committee, still, while such an impression existed, it was natural that I should strenuously exert myself to recover their good opinion, and believing myself under the intolerable imputation of a habit foreign to my nature, it will, I hope, be a proof that I valued their good opinion the more highly, that I could not bear the apparent loss of it on such grounds with tranquillity.

" It being explained, however, by Dr. Granville, that the committee never entertained the idea that I had conceived to have influenced them; I can have no hesitation to receive the wish conveyed in your first letter, as gratefully as I have no doubt it was meant kindly, and I beg you will be pleased to convey to the committee, my respectful assurance that no effort on my part shall ever be omitted, to impress on all concerned in the Penitentiary, a conviction that I am incapable, at any hour of the day or night, of failing in my duty; and it will require very little additional circumspection on my part, to convince them effectually, both by my manner and practice, that I have, in reality, no other motive than the strictest performance of my professional duties: I should indeed deeply lament that any circumstance could for a moment induce them to think otherwise.

" I have the honour to be, dear Sir,

" Your very obedient and obliged humble servant,

(signed) " A. Copeland Hutchison."

" E. Bootle Wilbraham, Esq. &c. &c. &c."

" Dear Sir,

Portland-place, June 18, 1822.

" I have seen Dr. Granville, who has delivered to me your communication, which I laid before the committee; and I have great pleasure in assuring you, by their directions, that they have received it as you could have wished them to do.

" I am, dear Sir,

" Your faithful humble Servant,

" Dr. Hutchison."

" E. B. W."

Martis, 3^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Thomas Grimston Estcourt, Esq. a Member of the House, further Examined.

HAVE you been able to procure any of those papers from Devizes, which the Committee requested you to do the other day?—I have got an account of the weight of all the prisoners committed to the house of correction at Devizes, at and since the quarter sessions held at Devizes in January 1819, including only such prisoners as had been committed for nine months and upwards. In order to show the Committee the comparative commitments for nine months, and for lesser periods, I have also procured the total of the number of prisoners committed to the house of correction at Devizes, at and since the quarter sessions held at Devizes in January 1819; showing those who have been committed for nine months and upwards, and those that have been committed for a less time.

Is that an abstract of the papers you have given, in the paper you now hold in your hand?—No; this is the whole number committed; there are 2,376 committed.

Is their weight given?—No, not in this; it is in the other; and I have a copy of the dietary as now used.

That is different from the old dietary?—Yes, by the use of soup, which they give twice a week.

With meat in it?—No.

[The following Papers were delivered in:]

*E. B. Wilbraham,
Esq.*

(June 2.)

*T. G. Estcourt,
Esq.*

(June 3.)

ACCOUNT of the WEIGHT of all Prisoners committed to the House of Correction at Devizes, at and since the Quarter Sessions held at Devizes, for the County of Wilts, in January 1819; including only such Prisoners as have been committed for Nine Months, and upwards.

NAMES of PRISONERS.	Sentence of Imprisonment.	Date of Commitment.	Date of Discharge.	Weight on Admission.	Weight on Discharge.
Sarah Biezley - - -	12 cal. months	15 Jan. 1819	14 Jan. 1820	Weight not taken.	
William Alexander - - -	2 years - -	d° - -	11 d° 1821		
Stephen Winchcomb - - -	d° - -	d° - -	d° - -		
James Tucker - - -	1 d° - -	d° - -	d° 1820		
James Dowdell - - -	9 cal. months	d° - -	11 Oct. 1819		
Thomas Dowdell - - -	d° - -	d° - -	d° - -		
Thomas Durdle - - -	2 years - -	d° - -	11 Jan. 1821		
George Durdle - - -	d° - -	d° - -	d° - -		
Richard Heard - - -	d° - -	d° - -	d° - -		
Joseph Wild - - -	d° - -	d° - -	d° - -		
Charles Watkins - - -	d° - -	d° - -	{ 27 Feb. 1820, by order. }		
Joseph Bailey - - -	d° - -	d° - -	11 Jan. 1821		
John Jerrett - - -	18 cal. months	d° - -	d° 1820		
Richard Tuff - - -	d° - -	d° - -	d° - -		
Richard Archer - - -	d° - -	d° - -	d° - -		
Thomas Simpkins - - -	10 d° - -	d° - -	11 Nov. 1819		
William Holton - - -	12 d° - -	5 March	4 Mar. 1820		
Thomas Tucker - - -	d° - -	d° - -	d° - -		
Noah Tovey - - -	d° - -	12 d° - -	5 Mar. - -		
Richard Brown - - -	d° - -	d° - -	d° - -		
John Cock - - -	d° - -	d° - -	d° - -		
William Garrett - - -	d° - -	24 April	19 April 1820		
John Webb - - -	d° - -	d° - -	d° - -		
Charles Goodfellow - - -	15 d° - -	d° - -	19 July - -		
William Bourton - - -	12 d° - -	d° - -	19 April - -		
Benjamin Penny - - -	d° - -	d° - -	d° - -		
William Adlam - - -	d° - -	d° - -	d° - -		
William Parker - - -	d° - -	14 June	5 Mar. - -		
William Clarke - - -	2 years - -	d° - -	5 Mar. 1821		
Thomas Hurley - - -	12 cal. months	16 July	12 July 1820		
Thomas Fay - - -	d° - -	30 d° - -	23 d° - -		
James Barrett - - -	d° - -	—	—		
John Neale - - -	d° - -	—	—		
Mary Tyley - - -	d° - -	—	—		
Mary Hancock - - -	d° - -	3 Aug. - -	2 Aug. - -		
Samuel Elms - - -	d° - -	28 Sept. - -	20 July - -	131	125
Richard Robbins - - -	d° - -	d° - -	d° - -	141	148
Richard Hughes - - -	d° - -	d° - -	d° - -	163	153
Robert Rawlings - - -	d° - -	d° - -	d° - -	163	167
William Hayward - - -	d° - -	d° - -	d° - -	131	133
Solomon Farr - - -	d° - -	d° - -	d° - -	113	124
Elizabeth Cox - - -	d° - -	5 October	4 Oct. - -	—	—
Harriett Roberts - - -	d° - -	12 d° - -	{ 29 November, by order. }	—	—
Henry Jerbury - - -	d° - -	22 d° - -	18 Oct. 1821	136	141
Henry Bond - - -	18 d° - -	13 Jan. 1820	9 July - -	129	133
John Reade - - -	d° - -	d° - -	d° - -	134	140
Henry Reason - - -	12 d° - -	d° - -	10 Jan. - -	138	146
William Dance - - -	9 d° - -	d° - -	10 July - -	147	170
William Curtis - - -	2 years - -	d° - -	{ 22 Jan. 1821, by pardon. }	115	122
William Kemp - - -	12 cal. months	10 March	3 Mar. 1821	168	179
Thomas Keevil - - -	d° - -	d° - -	d° - -	175	174
Idda Curtis - - -	d° - -	d° - -	d° - -	137	135
Thomas Norris - - -	d° - -	d° - -	d° - -	136	131
James Snook - - -	9 d° - -	d° - -	3 Dec. 1820	141	148
Thomas Plank - - -	d° - -	d° - -	d° - -	147	153
Job Davies - - -	12 d° - -	d° - -	3 Mar. 1821	90	92
Elizabeth Blake - - -	d° - -	d° - -	d° - -	—	—
William Knight - - -	d° - -	13 May	d° - -	147	149
Benjamin Johnson - - -	d° - -	d° - -	d° - -	133	129
Maria Baker - - -	d° - -	d° - -	d° - -	—	—
Mary Tuck - - -	d° - -	d° - -	d° - -	—	—

NAMES of PRISONERS.	Sentence of Imprisonment.	Date of Commitment.	Date of Discharge.	Weight on Admission.	Weight on Discharge.
James Tucker - - -	12 cal. months	15 July 1820	9 July 1821	139	145
Thomas Self - - -	d° - -	d° - -	d° - -	141	146
Joseph George - - -	d° - -	d° - -	d° - -	144	150
William Raymond - - -	d° - -	d° - -	d° - -	133	140
William Vincent - - -	d° - -	27 d° - -	21 d° - -	168	170
Thomas Oatley - - -	d° - -	d° - -	d° - -	164	169
Solomon Hulbert - - -	d° - -	d° - -	d° - -	127	122
William Pinchin - - -	d° - -	d° - -	d° - -	159	157
George Townsend - - -	d° - -	d° - -	d° - -	140	142
James Hitchins - - -	2 years - -	23 Sept. - -	21 July 1822	170	177
William Howell - - -	d° - -	d° - -	d° - -	142	136
William Hayward - - -	d° - -	d° - -	d° - -	149	143
Thomas Russell - - -	d° - -	d° - -	d° - -	176	162
Henry Bailey - - -	d° - -	d° - -	d° - -	94	114
John Dagger - - -	12 cal. months	d° - -	21 July 1821	160	160
George Hicks - - -	d° - -	d° - -	d° - -	157	164
George Burgess - - -	2 years & fined 10l.	20 October - -	14 Nov. 1822	138	140
John Gibbs - - -	1 year & fined 10l.	d° - -	14 March - -	127	131
Edward Hobbs - - -	2 years - -	10 Jan. 1821	9 Jan. 1823	142	141
George Carter - - -	12 cal. months	d° - -	9 Jan. 1822	153	159
Joseph Carter - - -	d° - -	d° - -	d° - -	155	157
Abraham Clothier - - -	d° - -	d° - -	d° - -	147	157
William Turner - - -	d° - -	d° - -	d° - -	153	153
Thomas Willmott - - -	d° - -	d° - -	d° - -	129	140
William Cooke - - -	d° - -	d° - -	d° - -	182	175
Thomas Flower - - -	2 years - -	17 March - -	8 Mar. 1823	161	167
James Fry - - -	d° - -	d° - -	d° - -	159	160
William Martin - - -	1 d° - -	d° - -	d° 1822	137	137
Joseph Hillier - - -	d° - -	d° - -	d° - -	132	133
Charles Smith - - -	d° - -	d° - -	d° - -	140	137
Joseph Stroud - - -	12 cal. months	d° - -	9 Mar. - -	155	162
Thomas Figgins - - -	d° - -	d° - -	d° - -	132	130
James Witt - - -	2 years - -	5 May - -	30 April 1823	146	149
James Bishop - - -	d° - -	d° - -	d° - -	163	190
John Higgs - - -	12 cal. months	d° - -	d° 1821	130	130
George Barrett - - -	18 d° - -	d° - -	30 Oct. 1822	149	177
Henry Cox - - -	d° - -	d° - -	d° - -	147	176
Jacob Silverthorn - - -	2 years - -	19 d° - -	9 Mar. 1823	131	140
Charles Budd - - -	d° - -	d° - -	d° - -	148	149
Joseph Holloway - - -	d° - -	d° - -	d° - -	141	140
Thomas House - - -	d° - -	d° - -	d° - -	156	159
Thomas Knee - - -	d° - -	d° - -	d° - -	124	130
William Merrett - - -	1 d° - -	d° - -	d° 1822	161	161
Daniel Everett - - -	d° - -	d° - -	d° - -	121	119
William Andrews - - -	d° - -	d° - -	d° - -	137	137
William Holder - - -	d° - -	19 July - -	9 July - -	134	137
William Maltman - - -	- - -	- - -	in custody	140	- -
George Field - - -	18 cal. months	d° - -	15 April 1823	157	157
William Vizzard - - -	d° - -	d° - -	d° - -	115	117
Henry Smith - - -	12 d° - -	d° - -	15 Oct. 1822	188	188
William Minor - - -	9 d° - -	d° - -	15 July - -	161	175
William Marks - - -	2 years - -	d° - -	in custody	149	- -
Isaac Hudd - - -	d° - -	27 d° - -	{ 9 Feb. 1823 } by pardon.	149	156
John Barton - - -	d° - -	d° - -	in custody.	82	- -
Joseph Pike - - -	d° - -	18 Jan. 1822	d° - -	147	- -
John Jordan - - -	d° - -	d° - -	d° - -	152	- -
William Rawlings - - -	18 cal. months	d° - -	d° - -	162	- -
William Moore - - -	d° - -	d° - -	d° - -	154	- -
Thomas Clarke - - -	2 years - -	d° - -	d° - -	174	- -
William Hulemee - - -	18 cal. months	d° - -	d° - -	155	- -
Elizabeth Staples - - -	2 years - -	d° - -	d° - -	- -	- -
John Street - - -	18 cal. months	d° - -	d° - -	146	- -
James Muspratt - - -	12 d° - -	d° - -	15 January - -	133	140
Joseph Hickman - - -	d° & sureties	d° - -	16 April - -	162	174
Isaac Tavernor - - -	d° - -	d° - -	15 January - -	124	131
Samuel Alford - - -	d° - -	15 March - -	8 Mar. 1823	161	145
John Berry - - -	d° - -	d° - -	d° - -	166	176
Isaac Lucas - - -	d° - -	d° - -	d° - -	159	161
Edward Scammel - - -	d° - -	d° - -	Died 26 Apr. 1823	130	died
Joseph Bradley - - -	d° - -	d° - -	8 Mar. 1823	141	139
John Coombs - - -	d° - -	d° - -	d° - -	161	154
Thomas Blackmore - - -	d° - -	d° - -	Discharged by order	135	131
William Taylor - - -	d° - -	d° - -	8 Mar. 1823	179	180

NAMES of PRISONERS.	Sentence of Imprisonment.	Date of Commitment.	Date of Discharge.	Weight on Admission.	Weight on Discharge.
Thomas Dixon - - -	2 years - - -	15 Mar. 1822	in custody - -	148	—
George Case - - -	12 cal. months	19 Apr. - - -	15 Apr. 1823	166	171
Edward Croome - - -	d° - - -	d° - - -	d° - - -	158	176
Robert Dance - - -	9 d° - - -	d° - - -	15 Jan. - - -	139	141
Thomas Randell - - -	12 d° - - -	8 May - - -	8 Mar. - - -	122	129
Aaron Townsend - - -	2 years - - -	d° - - -	in custody - -	151	—
James Mortimer - - -	d° - - -	d° - - -	d° - - -	151	—
George Woodman - - -	d° - - -	d° - - -	d° - - -	135	—
John Franklin - - -	18 cal. months	d° - - -	d° - - -	128	—
Samuel Fussell - - -	1 year - - -	19 July - - -	d° - - -	63	—
Thomas Blackmore - - -	9 cal. months	d° - - -	15 Apr. - - -	145	145
Abigail Somers - - -	12 d° - - -	d° - - -	in custody - -	—	—
Emanuel Biggs - - -	9 d° - - -	24 d° - - -	19 Apr. - - -	149	150
George Lawrence - - -	2 years - - -	14 Sept. - - -	in custody - -	135	—
George Hendy - - -	d° - - -	d° - - -	d° - - -	168	—
John Wiggins - - -	18 cal. months	d° - - -	d° - - -	147	—
James Woodman - - -	d° - - -	d° - - -	d° - - -	135	—
Thomas Baker - - -	12 d° - - -	19 Oct. - - -	d° - - -	158	—
George Dicks - - -	2 years - - -	d° - - -	d° - - -	133	—
John Lively - - -	12 cal. months	16 Jan. 1823	d° - - -	126	—
Henry Smith - - -	9 d° - - -	d° - - -	d° - - -	163	—
George Bull - - -	12 d° - - -	d° - - -	d° - - -	101	—
William Little - - -	d° - - -	d° - - -	d° - - -	94	—
George Cooms - - -	9 d° - - -	d° - - -	d° - - -	146	—
William Clarke - - -	d° - - -	d° - - -	d° - - -	131	—
Joseph Pilgrim - - -	12 d° - - -	d° - - -	d° - - -	146	—
John Alford - - -	d° - - -	d° - - -	d° - - -	141	—
James Morris - - -	2 years - - -	14 Mar. - - -	d° - - -	114	—
Richard Holliday - - -	d° - - -	d° - - -	d° - - -	148	—
William Nutt - - -	d° - - -	d° - - -	d° - - -	115	—
Thomas Wareham - - -	18 cal. months	d° - - -	d° - - -	131	—
James Huckbridge - - -	d° - - -	d° - - -	d° - - -	97	—
James Reynolds - - -	12 d° - - -	d° - - -	d° - - -	134	—
Thomas Read - - -	d° - - -	d° - - -	d° - - -	88	—
William Mead - - -	d° - - -	d° - - -	d° - - -	88	—
William Nelson - - -	d° - - -	d° - - -	d° - - -	157	—
John Andrews - - -	d° - - -	d° - - -	d° - - -	126	—
John Flower - - -	d° - - -	d° - - -	d° - - -	141	—
Israel Long - - -	9 d° - - -	d° - - -	d° - - -	128	—
Henry Crook - - -	d° - - -	d° - - -	d° - - -	128	—
George Couzens - - -	12 d° - - -	7 Apr. - - -	d° - - -	123	—
Walter Edges - - -	2 years - - -	d° - - -	d° - - -	124	—
William Weston - - -	d° - - -	d° - - -	d° - - -	159	—
Thomas Pinckney - - -	12 cal. months	11 d° - - -	d° - - -	171	—

“ RETURN of the total Number of Prisoners committed to the House of Correction at Devizes, at and since the Quarter Sessions held at Devizes, for the County of Wilts, in January 1819.

Number of prisoners committed for less than nine months	- - -	2,198
Number of prisoners committed for nine months and upwards	- -	178
Total number committed	- - -	2,376

“ *Edm. Cocks, Governor.*”

“ SOUP for 100 Persons:—One gallon split pease; one ditto scotch barley; onions, leeks, turnips, carrots, &c. chopt small, and added at the rate of $\frac{1}{4}$ lb. to each man; thickened with one quart of oatmeal, one ounce of pepper. In damp weather, or occasionally, add one ounce of best pounded ginger.”

T. G. Estcourt,
Esq.
(June 3.)

Did any discussion take place amongst the magistrates, with respect to the dietary at Devizes?—Yes: there was a discussion arising out of some complaints of the prisoners at the quarter sessions at Michaelmas 1820, in consequence of which a committee of magistrates was appointed to inquire into the state of the prison, and their report was presented to the quarter sessions in January 1821, and an extract from that report is the paper I will now deliver in.

[The witness delivered in the following paper :]

“ Extract

“ Extract of a Report from the Committee of Magistrates, appointed by the court of quarter sessions held at Marlborough, for the county of Wilts. on 16th day of October 1821, to inquire into the state of the house of correction at Devizes.

T. G. Estcourt,
Esq.
(June 3.)

“ We annex hereto an account of the weight of the different prisoners, taken at various times, and for a period of two years.

“ Average Weight of Prisoners :

“ From the 30th of October 1819, to 30th of October 1820, there have been received into custody and discharged, as follows; viz.

Number of Prisoners.	Period of Confinement.	Average Weight, when Received.	Average Weight, when Discharged.
2	18 months.	131 $\frac{1}{2}$ lbs.	137 $\frac{1}{2}$ lbs.
20	12 d°.	142 $\frac{1}{2}$ lbs.	147 $\frac{1}{2}$ lbs.

“ From 30th October 1820 to 30th October 1821 :

29	6 months.	137 $\frac{1}{2}$ lbs.	140 $\frac{1}{2}$ lbs.
150	3 d°.	137 $\frac{1}{2}$ lbs.	140 $\frac{1}{2}$ lbs.
18	2 d°.	127 $\frac{1}{2}$ lbs.	129 $\frac{1}{2}$ lbs.
73	1 d°.	120 $\frac{1}{2}$ lbs.	122 $\frac{1}{2}$ lbs.

I have also received a letter from the governor of the house of correction at Devizes, who states, that the present dietary agrees well with the prisoners, and that he has noticed no particular case of loss of strength produced by it, except where from age or infirmity the restricted diet is more severely felt; no prison can be more healthy, no complaints, except such as are incidental to the change of the seasons; and in another part of the letter, he says, there is not now nor has been any case of scurvy.

George P. Holford, Esq. a Member of the Committee; further Examined.

HAVE you any thing to add to your former evidence, respecting the warmth of the cells?—I should wish to state, with regard to the warmth of the cells, that all the cells in the Penitentiary, the night cells as well as the day cells, are glazed with windows in wooden frames, as nicely fitted as those in a private house; whereas in most gaols the cells are furnished only with wooden shutters of very rough workmanship, or if glazed, are glazed with iron casements, which are not capable of being shut so closely as altogether to exclude the external air.

G. P. Holford,
Esq.

In point of fact, did those prisoners who slept in the upper story complain the last winter of cold?—I was not in town during the greater part of the winter, but I do not recollect hearing, since my arrival, of any such complaints having been made.

Do you think that if those complaints had been made generally, that they would have come to the knowledge of the committee, or that some documents would have appeared, to show that the committee had heard any thing upon the subject?—I think that would have been the case, and I think it would have been mentioned to me since my arrival in town.

Have you brought the resolution of the committee for erecting two corn mills, with additional machinery for two water machines?—I have brought that resolution and a report of mine, upon which it is founded; in consequence of the change of flour from brown to white, there will be more time required in grinding the corn, and if the data with which I have been furnished are correct, the time occupied in grinding the corn to make all the flour wanted for the use of the prison, may occupy all the first class prisoners in the two pentagons in which those mills are to be placed, for three half hours in each day, in successive gangs; and all the second class prisoners may also be employed in successive wards for two more half hours. As we always endeavour to preserve uniformity in discipline in the four male pentagons, it will be proper to employ the prisoners of the first and second pentagons, in which water is raised into the cisterns of the prison, for the same time; if more water should be raised than is required for the use of the prison, it is very easy to let it off, and the cisterns will more easily be kept clean by so doing; in addition to this exercise at the mills, it will be necessary that each gang of prisoners should walk for ten

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minutes or a quarter of an hour, to cool themselves before they return to their cells; the second class working only twice at the mills, would probably, under this arrangement, have a longer walk in their court yards; I mention this arrangement, not as actually determined upon, but as capable of being carried into effect, with the mills and machinery now ordered; and as an arrangement which will probably take effect, unless the committee shall see some means of making a more convenient one.

Speaking of the committee, you mean the committee of the Penitentiary?—Yes.

[*The witness delivered in the following papers:*]

“ At a meeting of the superintending committee, held the 26th April 1823.

“ A report, by George Holford, esq. visitor, read, in which he suggests the expediency of erecting two additional corn mills in the prison, one in No. 5 pentagon, and another in No. 6, and of adding such iron-work to the two water machines in pentagons Nos. 1 and 2, as may allow of the employment of sixteen more prisoners, than now work at a time, in turning those machines; he further suggests, that in the two pentagons occupied by female prisoners, the court yards should be fresh gravelled, and one or two iron rollers placed in each yard for the purpose of being used; under the direction of the medical gentlemen, by such of the female prisoners as would in their judgment, be benefited by more exercise in the open air than is afforded by the general regulations.

“ Resolved, That these measures be approved, and referred to Mr. Holford to carry into effect.”

“ Report by the visitor, George Holford, Esq.

“ 26th April 1823.

“ I beg leave to submit for the consideration of the committee, the expediency of erecting two additional corn mills in the prison (one in No. 5 pentagon and another in No. 6) under the same arcades which now cover the mills already erected, and of adding such iron-work to the water machines in pentagons Nos. 1 and 2, as may allow of the employment of sixteen more prisoners than now work at a time in turning those machines. It will be necessary for the small building which contains the machine for dressing flour to be removed from No. 5 pentagon, to make room for a second mill there; but a building may be provided for that machine, either in the baker's yard, or in the court yard adjoining, as may be found most convenient.

“ The measures above stated are suggested partly for the purpose of providing the means of grinding the whole of the meal wanted for the consumption of the prison, and partly with a view to arrangements for affording more exercise in the open air to the male prisoners, and of employing those of the second class for a part of the day at the mills and water machines.

“ I have communicated with Mr. Rennie, the engineer who put up the present mills and water machines, and have satisfied myself of the practicability of what is here proposed.

“ In the two pentagons occupied by female prisoners, I submit that the court yards should be fresh gravelled, and that one or two iron rollers, should be placed in each yard, for the purpose of being used under the direction of the medical gentlemen, by such of the female prisoners as would, in their judgment, be benefitted by more exercise in the open air than is afforded by the general regulations of the prison.

“ All these suggestions have been mentioned to the medical gentlemen, and have received their approbation.”

Does the resolution provide additional exercise for the female prisoners?—It does for some of them; the committee do not think at present that it is desirable to provide laborious exercise out of doors for the female prisoners generally; the habits of a very great proportion, probably of the majority, of females confined there not being those of hard work out of doors, and the committee have thought therefore that it would be better, as a general rule, that the women should take exercise by walking in the court yards, but that means should be provided of employing those for a longer time out of doors who may seem particularly to require such employment; they have therefore passed the resolution for gravelling the court yards (which are twelve in number) and for placing an iron roller or two (or, if required, three) in each yard, so that all such women may be set to roll the gravel in the yards, under a special order of the matron (made with reference to each prisoner) as from their former habits or the state of their health may appear to the medical gentlemen to be likely to receive benefit from exercise of that description.

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What number of women are in the laundry and washhouse, and what proportion do they bear to the number of women altogether?—There are two wards containing laundries and washhouses, called the laundry wards; and I should think that about twenty-five women are employed in the laundries and washhouses in each. There are more prisoners than twenty-five in each of the laundry wards, but as two of the cells in each of those wards are cells for mending clothes, I should doubt whether more than twenty-five women are employed in the laundries and washhouses in each laundry ward.

Do you think that the laundry is well adapted for the purpose for which it was constructed?—I think the laundry wards are the worst contrived parts of the building, and as I was concerned in that building, as supervisor, I am glad to take this opportunity of stating, that I directed Mr. Smirke, at the time the laundry ward was planned, to consult the then matron as to the quantity of accommodation she would require; I believe she was not able to calculate very accurately the number of prisoners that would be employed when the prison should be full, and she gave Mr. Smirke reason to think that less accommodation would be sufficient than appears to be the fact; I am not however without hopes that the laundry wards might be very materially improved, and that, by adding a small cell in each ward to the washhouses, the steam which is one very great objection, may be carried off from the wards, but as I have not yet had an opportunity of seeing Mr. Smirke upon the subject, I speak upon it with some doubt.

What number of women are in the kitchen?—I think from ten to twelve; the number is not always the same.

What are the hours of work in the laundry?—The hours of work in the laundries and wash-houses do not differ from those in the rest of the prison.

Is the whole week occupied in getting up the linen of the prison?—The prisoners in the laundry wards are employed, during the whole week, in the laundries, or in washing or mending; they wash for the female officers belonging to the prison, for which those officers are charged half price by the committee; but they do not wash for any of the male officers of the prison.

Was there any greater degree of sickness among the women in the laundry than in the rest of the prison this last winter?—I do not believe that the existing sickness has prevailed in a greater extent in that part of the prison than in any other; but colds must have been more frequent among the prisoners employed there in consequence of the nature of their occupation.

Have you lists of the different committees of the Penitentiary, since the commencement, with the dates of their respective appointments?—I have brought with me lists of the committee of the Penitentiary from the first appointment. As the manner in which the Penitentiary is managed does not appear to be very well understood; and as it has been urged, as a ground for suspecting something wrong in the committee, that changes have taken place in it; that seven members were left out of our committee when it was last appointed, and seven strangers introduced into it, I should wish to make a few observations upon the nature and constitution of the committee, by which the Penitentiary is managed. By the 19 Geo. 3. c. 74, (an Act drawn with the assistance of Sir William Blackstone and Mr. Howard,) in which are to be found the general principles of the Acts by which the Penitentiary is now regulated, the managing committee were to consist “of three gentlemen, or “other creditable and substantial persons, who were to be entitled to such allowance per diem for their trouble and expense, in every day’s actual attendance on “the duties of their office, as the justices of the peace in sessions, with certain “approbation there mentioned, should from time to time order and direct.” In the Report of the Committee of the House of Commons, which sat upon the subject of Penitentiary houses in 1811, of which Committee I had the honour to be chairman, it was recommended that the present Penitentiary, then about to be erected, should be managed by a committee of a limited number of members, acting without pay, upon the model of those committees which conduct the affairs of most of the great public charities in London and Middlesex; and it was also recommended, that the committee should be annually appointed. Gentlemen who are conversant with the management of the great public charities in this neighbourhood know, that in all the committees by which they are managed, there is some principle of annual renewal. I allude to such charities as ‘The Philanthropic Society,’ ‘The Refuge for the Destitute,’ ‘The Magdalen,’ the ‘School for the Indigent Blind,’ and many others that might be mentioned. In one of them, a certain number of members retire annually by rotation; in another, the names of a certain number of those who

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have attended least in the preceding year are omitted; and in some, a certain number are left out at the discretion of the annual general meetings of subscribers, by whom they are nominated: it was intended, therefore, always, that the committee of the Penitentiary should be a fluctuating body. It is accordingly directed, by the 52 Geo. 3. and the 56th, two Acts relating to the management of the Penitentiary at Milbank, that the members of the committee should serve "for one year, or until a fresh nomination or appointment should take place." The first appointment of the committee for the Penitentiary at Milbank is dated on the 12th of February 1816. On the 23d of August, two names were added in lieu of two of the original members; Lord Colchester, who was at the head of the first committee, when he went into the country for the summer, declared that he could not, for another winter, give the attendance which he had given since he had become a member of the committee: in fact, he stated in private more than once, that he had employed in the concerns of the Penitentiary a larger portion of the time, that was not occupied by his parliamentary duties, than was consistent with a due regard to his health; for it must be remembered, that men in public life, as well as prisoners, have need of air and exercise. The other gentleman left out was an individual who, I believe, had never accepted his appointment, and certainly never came within the walls of the Penitentiary. This committee lasted till the 9th of June 1821; the changes then made were ten. Two of the former members were dead; and on looking into the names of the remainder of those who were omitted, it will be quite obvious, that many of them had other important and laborious duties to perform, and were not likely to be able to bestow much time upon the Penitentiary. The next committee was appointed on the 3d of April 1823, and in that there certainly were seven new names; two of the gentlemen left out had retired into the country. I stated, in my evidence the other day, the reasons that operated in the omission of several of those members; and there are only two persons for whose retirement I could not give satisfactory reasons, from the time of the appointment of the original committee till that of the 3d of April 1823. Mr. Morton Pitt has since resigned; and, from a letter that has been printed with his signature, there can be no doubt of his having resigned under the notion that the committee were wrong in the removal of the late medical superintendent. But as I feel the weight which the name of an individual so highly and deservedly respected by the public, and so conversant with the management of prisons, may be expected to carry with it in a question of this kind, I think it is fair, on behalf of the committee, to declare, that Mr. Pitt's opinion upon this occasion is not a judgment pronounced upon full knowledge of the proceedings of the committee, (he not having attended the committee for many months); but that it is an opinion, founded rather upon his general confidence in the gentleman removed, than on any other ground.

Were any of the proceedings of the committee communicated to Mr. Pitt?—Certainly not, to my knowledge.

Not officially?—Certainly not.

Are the meetings of the committee of the Penitentiary, in general well attended?—With a view to answering that question, I have directed a search to be made by the secretary, of the attendances during the last year, 1822; and I have done this in consequence of a passage in a letter written by the late medical superintendent to the committee, in which it is stated, that his intention in writing is for "the benefit" of such of the present committee as he (the writer) is "well aware have little knowledge, far less any participation in the measures adopted," and it further states, that "the real management has at all times been in the hands of two of the members." It appears that during the first half year of 1822, from the 1st of January to the 30th of June, twenty-six meetings of the committee were held, which were attended on an average by rather more than six members, three only being necessary to form a committee; during the second half of the year, from the 1st of July to the 31st of December, (a period of the year at which it is not so easy to form committees) fourteen meetings of the committee were held, with the attendance of rather more than four members on an average; it also appears that on one day, which ought to have been a day of meeting in the first half of the year, and on five days, at which the committee were summoned to meet in the latter half, a sufficient number of the members did not attend to form the committee; by the rules and regulations of the Penitentiary we profess to meet once a month, and probably when the system is completely established and the prison shall go on in its ordinary train, twelve or thirteen meetings in the course of the year may be sufficient; during the few months in which Lord Colchester belonged to the committee,

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he regularly attended, and was always in the chair; from that time till June 1821, when Sir Archibald Macdonald intimated to the committee, that from age and infirmity it would not be convenient for him to attend in future, he generally attended and took the chair; since that time different members have presided; very frequently, my honourable friend near me, Mr. Wilbraham. As I conceive that I am one of the persons who are alluded to in this statement, that "the real management has at all times been in the hands of two of the members," I think it right to say, that though, having devoted the whole of my time while in London for some years to this establishment, I may have drafted more of the rules, and offered more suggestions, than some other gentlemen on the committee, yet all propositions (by whomsoever brought forward) have been gravely considered; the committee meets at one o'clock generally, and it seldom separates before four or five o'clock, and it separates then rather because gentlemen are obliged to go away, than because we should not find enough to occupy us, if we could conveniently stay longer; on all occasions of importance we are able to call together a large proportion of our members; at the meeting, at which the late dietary was established, there were present nine members, and when we found ourselves under the necessity of removing Doctor Hutchison, ten members concurred in the unanimous resolution passed for that purpose: I have omitted to mention in the earlier part of this statement, that of the nineteen members of whom the committee may be considered as composed, during the year 1822, (Sir Archibald Macdonald having ceased to give his attendance, as I have already mentioned, from June 1821) it appears that seventeen have attended at some time or other during the year.

How many committees sat, between July and February last?—Fourteen sat, between July and the end of the year.

The Committee understand that fourteen committees sat between July and January?—Yes.

The rule of the Penitentiary being that six only should have sat in that period?—Yes; six meetings only were required by the printed regulations; fourteen actually sat, and five did not sit, owing to the want of a sufficient number of members.

When the committee came to the resolution of dispensing with the services of the medical superintendent, was a meeting regularly convened to take that subject into consideration?—Yes; he was removed at a meeting regularly convened; the committee having every wish to avoid any thing that might be offensive to the feelings of Doctor Hutchison, directed the secretary to withhold the notices till he had an opportunity of conferring with Doctor Hutchison, and of learning whether it would be more agreeable to him to prevent the formal act of summoning of the committee for his removal by resignation, which has been done in several instances by officers whom the committee have had a wish to remove, but Doctor Hutchison rather preferred having the proceeding taken regularly, (and as he states in one of his letters) "upon the responsibility of the committee," the notices were therefore issued regularly for the meeting at which he was removed.

Have you lists of the superior officers appointed since the commencement of the establishment?—I have a list of all the superior officers appointed since the commencement of the establishment, and as I have been supposed to take a larger share than others in the management of this concern, I think it due to myself to declare, that there is not, nor ever has been, in the service of the Penitentiary, from the opening of the prison, any officer (with the exception of the present governor) superior or inferior, male or female, of whom I have had any knowledge before that officer became a candidate for the situation at the Penitentiary; the present governor, with whom I had been acquainted for many years, certainly intimated to me in the first instance his willingness to accept the office, and I believe had learnt the probability of a vacancy from me; I referred him to another member of the committee, whom I desired to communicate with him, to form his own judgment of his qualifications, and to make such inquiries as might be necessary before he was proposed to the committee; and though I am sanguine in my expectations, that the establishment will derive great benefit from his being placed in the situation of governor, I do not consider that appointment as resting in any degree upon any recommendation of mine.

What reasons induced the committee to change last year the system of dietary?—The dietary of the Penitentiary was originally founded very much upon that in use at the Penitentiary at Gloucester, the only existing Penitentiary besides that at Milbank. Sir George Paul's opinion, as expressed before the committee of this House in 1811, was, that, if men laboured, and had nothing better to drink than

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water, they should have a generous diet; since that time, however, public opinion had undergone a great change upon that subject. Before the commencement of 1822, at Devizes, meat had been totally excluded from the dietary; the same exclusion of meat took place at Stafford; and, I believe, at many other prisons; even the Penitentiary at Gloucester, upon the model of which we had formed our dietary, departed from the dietary we had copied, and excluding solid meat altogether from its table of diet; gave soup only, in which less meat was used than in the dietary we adopted on the fourth of July last year. When I state, that public opinion had changed, I mean the opinion of respectable and experienced magistrates. We had an opportunity of becoming acquainted with this change in the committee of this House, which sat upon the bill relative to prisons for two successive years; gentlemen who attended that committee, must recollect the taunts and sarcasms which were thrown out upon those who managed the Penitentiary for their dietary. I do not mean, that anything offensive or ill humoured was ever said there; but the luxury of the Penitentiary was a standing joke. The prison was called, "My fattening house." I was told that public economy might be safely consulted by parting with many of our officers, as it was unnecessary to keep up an establishment to prevent escape, though it might perhaps be proper to apply for a guard to prevent persons from rushing in. An honourable friend of mine, one of the members for Essex, in a very able pamphlet, containing a great deal of good sense and wisdom on the subject of prisons, made a direct attack last year upon the Penitentiary; he stated, that the diet of convict prisoners ought to be furnished solely by the mill and bakehouse, unless in cases of sickness; and he termed the dietary in use at Milbank, "an insult to honest industry," and "a violation of common sense;" but I will state fairly, that, as far as I am concerned, I was not entirely guided by these opinions of others; I was quite satisfied, from what I heard and saw, that the dietary was too abundant. It was reported to us, by our medical attendants, that the prisoners were plethoric, and that their diseases were such as naturally arose from too much fullness. I also observed myself, that they were nicer, in regard to their food, than they ought to have been; and it is mentioned, in Dr. Hutchison's evidence, that potatoes, in particular, were carried out of the prison in the wash tub. I certainly saw myself, and pointed out to Doctor Hutchison, potatoes among the wash, which I should have been ashamed to see carried out in that manner from my own house. I was also told by members of the House of Commons, that, if we did not change our dietary, observations would be made upon us, when the annual vote for the expenses of our establishment came to be discussed in Parliament, and that the vote would probably be opposed. In the Report presented to the Houses of Parliament at the commencement of the last session, we thought it prudent to mention that the dietary was under consideration, and that some change would probably take place in it; and we defended ourselves for not having reduced it sooner, by adverting to the very great difficulty and delicacy of the subject.

In what manner did the committee proceed upon the occasion of the change of the dietary?—We called, in the first instance, after a good deal of private conversation upon the subject, for a report from Dr. Hutchison; I believe Mr. Pratt, the resident surgeon, gave in also the scheme of a dietary, I rather believe he was not called upon to do so, for we certainly did not consider Mr. Pratt, from his rank in the profession, or from his general knowledge and abilities, as a person upon whose opinion the committee would place much reliance on a subject of this kind, although it certainly turns out that Mr. Pratt has been all through this business in the right; in the letter which Dr. Hutchison addressed to us on the 22d of March 1822, he proposes meat for one day in the week and soup for the remaining six; he asserts, in the letter to which I have alluded of May the 2d, that he had expressed a wish for a consultation, and that this request was denied, and rests the proof of this assertion upon his letter of the 22d March; I apprehend, however, that this is not a correct statement; in the letter of the 22d March, observing that the question of dietary is one very difficult of accurate solution, he suggests to the committee, "to take the opinions of other persons in the profession who may have distinguished themselves in science, such as Dr. Wollaston, Sir Gilbert Blane, Dr. Baillie, Sir Everard Home; or Mr. Cline;" and he also recommends that "the gentlemen fixed upon be requested, in the first place, to inspect the existing state of the health of the whole of the convicts." In this suggestion and recommendation, as far as the inquiry was concerned, the committee acquiesced, but they did not think themselves bound to limit themselves in their choice of the persons for

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for whose opinion they should apply, to the individuals pointed out by Dr. Hutchison; Mr. Bathurst, who was in the chair when that letter was considered, thought that the committee ought to make their application to some person clothed with a public official situation, and the committee therefore applied, as appears in the printed papers, through the war office, to Sir James M'Grigor, as the head of the army medical board, for his advice upon this important subject. Sir James M'Grigor visited the prison (I do not know whether once or twice) and took a great deal of pains to inquire into all those points relative to the discipline of the prison and the treatment of the prisoners, which are connected with the subject of the dietary; he proposed a diminution in the bread, leaving the quantity of meat as it stood in the former dietary, but suggesting, that for the sake of avoiding the use of knives and forks, which had been objected to, it might be comminuted or cut into very small portions. The committee felt that they had not sufficiently explained, in their letter to Sir James M'Grigor, the grounds of their desire to get rid of the meat, which though founded in part on the expediency of avoiding the use of knives and forks, proceeded, in a much greater degree, from their wish to obviate objections to their dietary on the part of the public, and to comply with what appeared to be the prevailing opinion, in regard to the exclusion of solid meat from the prison, provided this could be done consistently with the preservation of the health of the prisoners. To avoid the trouble and delay of a correspondence upon this subject, I undertook to call upon Sir James M'Grigor, I showed him the dietary which had been proposed for consideration, and I understood from him, that, in his judgment, it was unobjectionable; he distinctly stated, that it appeared to him to contain a sufficient quantity of sustenance, and that he thought it might be adopted without danger of injury to the prisoners health; I stated this to the committee on the 24th of May 1822, when Mr. Morton Pitt, who had taken the trouble to frame the table of diet, and had made diligent inquiry for that purpose in the kitchens, concerning the number of ox-heads which it would be proper to put into the soup, brought the dietary forward. I certainly understood at that time, that Mr. Morton Pitt had communicated with Dr. Hutchison upon this subject, and that he answered to the committee for Dr. Hutchison's consent to the adoption of this dietary. It is always unpleasant to come to a conflict of recollections; but I cannot now divest my mind of the belief, that Mr. Morton Pitt made a statement to that effect. In the correspondence which has taken place between Mr. Morton Pitt and the committee of the Penitentiary, printed by the direction of this Committee, he admits the share which he himself took in recommending the dietary and his own strong wishes for its adoption; he says, however, that Dr. Hutchison never was persuaded by him to abandon his objections, to the exclusion of solid meat, and Dr. Hutchison says, that he believes his conversations with Mr. Morton Pitt were before the writing of his letter on the 22d of March; Dr. Hutchison, however, does not speak positively on the subject, and Mr. Morton Pitt's memory of the whole transaction appears, by his letter of the 9th of May to the Penitentiary committee, to be extremely imperfect: if Dr. Hutchinson was not consulted after the letter of March 1822, before the dietary, which was certainly not in conformity with the opinion expressed in that letter, was adopted, he certainly was treated with a degree of disrespect which ought not to have been shown to him, and I cannot think it likely that he should have sustained this wrong from Mr. Morton Pitt, who originally introduced him into the service of the Penitentiary, who has always been his particular personal friend, and who has now taken his part against the committee. The dietary decided upon on the 24th May 1822, was transmitted to the judges on the 31st May, it was signed by them on the 17th June, and was, after the necessary arrangements in the prison were made for its introduction, put in practice on the 4th of July; the arrangement to which I more particularly allude, was the substitution for the knives which were to be removed from the kitchens, certain instruments for cutting bread, which were fixed to the tables, and which could not therefore be converted into weapons of offence.

What steps were taken by the committee in consequence of the sickness which prevailed last winter?—I left town towards the end of September for the summer, and I think the last time that I was within the walls of the Penitentiary, in the course of that month, was on the 20th; for the transactions between that date and the meeting of the committee of the Penitentiary on the 25th of January, on which day I was again present, this Committee should examine other members of the Penitentiary committee, particularly Mr. Courtenay and Mr. Archdeacon Pott; it appears, however, that on the 11th of January, the subject of the dietary came in some degree

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under the consideration of the committee, for there was passed on that day a resolution for substituting water gruel for soup in the evening, in the part of the prison occupied by the females. I have stated, I believe, in my former evidence, that I received accounts soon after Christmas from the matron and from the chaplain, which led me to suppose that the dietary might be injuring the health of the prisoners; I should also add, in fairness to Mr. Pratt, that I received a letter to the same effect from him, which I now deliver in to the Committee.

[The same was read; as follows:]

" Sir,

General Penitentiary, January 7, 1823.

" I should not have taken the liberty of troubling you, as I am aware you will shortly be in town, but we have a very great increase of invalids, insomuch so, that we have not room in the female infirmary for them; there are 67 this day there, with the wardswomen and children, and their complaints are of that nature that I fear we have little hopes of removing any for some days, and I fear there will be an increase; the males are healthy; the cause of the complaint I cannot exactly account for, they are affections of the lungs, &c. in part arising from the late severe weather, and I fear they have been in some measure brought on from the change in the diet; to me it appears that their diet has rendered them weak, and brought on a predisposition to complaint, which would arise from the intense coldness of the season; I beg leave to suggest whether we could not have a part of the male infirmary converted to the use of the females, as we could put the males into the long room.

" I am, Sir, your most obliged servant,

" Addressed to

" J. Pratt."

" G. Holford, Esq. M. P. &c. &c."

In consequence of the other information which I had, I wrote, before the receipt of that letter, to Dr. Hutchison, to make inquiries concerning the state of the prison, and I received from him a part of the report which he was then preparing for the Penitentiary committee, dated on the 8th; Doctor Hutchison reasons upon that report in his letter of the 2d of May last, as if it contained "portentous words," as he calls them, and some prophecy of evil; I confess its effect upon my mind was completely to allay the apprehensions which I had before entertained, and I state distinctly, that it prevented me from being in haste to reach London. On the 8th of February, Mr. Pratt, in his regular report of the state of the prison, communicated to the committee the existence of scurvy in a few cases, and at that meeting of the committee (at which I was present) it was determined that an application should be made to Sir James M^cGrigor to visit the prison again, on the ground of the dietary's having now been seven or eight months in operation, and of the prisoners being supposed to be sickly. Dr. Hutchison has stated that he informed the committee of the existence of scurvy, on the 8th of February; I consider this statement, however, as being inaccurate; the letter from Dr. Hutchison, of Saturday the 8th of February, is dated on Saturday evening, which must have been after the committee had broken up, and is addressed, not to the committee, but "to the visitor for the time being at the General Penitentiary, or, to George Holford, esq." this letter could not reach the committee therefore regularly till the Saturday following, viz. the 15th, and no step could have been taken by the committee upon it till that time; in fact it never reached the committee at all, for on the 14th, a letter containing a fuller account and more apprehensions with regard to the scurvy, was written by Doctor Hutchison, to Mr. Courtenay, who therefore considered the letter of the 8th as having been superseded by that of the 14th. I have already mentioned, in my former evidence, that I went round with Sir James M^cGrigor, as one of the members of the committee, on the 14th of February, I communicated his favourable opinion of the state of the prison to the committee on the 15th of February, and I then informed them that they might expect a written report from him in a few days; he wrote that report, containing the result of his visit on the 17th, and it was laid before the committee at their next meeting, on the 22d; by that time, however, the state of the infirmaries was materially altered, many more prisoners had been sent up sick, and one or two deaths had occurred; it was determined on that day to summon a special committee, for the express purpose of considering the state of the sickness of the prison, to meet upon the Friday following, viz. on the 28th. A good deal of conversation took place in the mean time, between different members of the committee, in regard to the propriety of calling in additional medical assistance; and inquiries were made as to the persons to whom it would be proper to apply, when a resolution for that purpose should be passed, it being necessary that they should be

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be persons of eminence and talent; and at the same time, that they should be in a situation to devote a considerable portion of their time to this very serious investigation. In the period that elapsed between the 22d and 28th, a coroner's inquest was held upon the bodies of two male prisoners; and the jury remarked in their verdict, that so many prisoners would not die in the Penitentiary if more meat were allowed, or something to that effect; and they also wrote a letter to the committee upon that subject. I mention these circumstances for the purpose of stating, that, previously to the receipt of any information upon this subject by the committee, a day for taking the dietary, and the state of the prison into consideration, had been fixed, and inquiries had been made with a view to ascertain the persons whom it might be proper to call in, to show that the committee were not slumbering on their posts till they were awakened by the verdict of the jury, but that the state of the prison was the subject of their anxious consideration before the remarks of the coroner's jury were made. One of the gentlemen, to whom it was resolved to apply on the 28th of February, viz. Doctor Maton, having declined to undertake the task which the committee wished to impose upon him, Doctor Roget was substituted in his place, at the ordinary meeting of the committee, held on the next day, viz. on the first of March, and the two physicians, commenced their examination of the prisoners in the infirmaries on that day. The committee of the Penitentiary certainly heard with much surprize, after they had only been told by Doctor Hutchison in the course of the month of February of the existence of a few cases of scurvy within their walls, that 400 cases of that kind were discovered in the investigation which took place in the beginning of March; but they did not complain of Doctor Hutchison for having left them so entirely in the dark respecting the state of the prison previous to the appointment of the two physicians; on the contrary, Doctor Hutchison complained of the appointment by the committee, of the two physicians to act with him in the prison; and represented this proceeding as unnecessary, and as a great indignity to him. In a postscript to the letter which he wrote upon that subject to the committee, he stated that he should send a copy of his letter to the secretary of state. The committee thereupon considered, that an appeal from one of their officers against their acts to any other authority, made it impossible for them to retain such officer in their service; and they also felt that there had been a want of co-operation between Doctor Hutchison and some of the other officers in the establishment, which must have led to his being less informed than he would otherwise have been of the real state of the prison. Doctor Hutchison seems to have supposed that his differing in opinion from the committee in regard to the dietary that should be adopted, was among the causes which led to his removal; I disclaim any such cause on my own behalf, and to the best of my knowledge and belief, I deny that any such cause operated against Doctor Hutchison on the minds of the other members of the committee. As the committee of the Penitentiary have been assailed, and as I myself personally have been assailed in newspapers and printed publications upon the subject of the late dietary, I have gone more at length than I should otherwise have done into these statements; for I think that this Committee will feel, that those who manage the Penitentiary ought not, if it can be avoided, to be driven to defend themselves through such channels as those to which I have alluded. I will only add, in my own behalf and that of the gentlemen with whom I am acting, that, deploring in common with the public, the severe visitation which the Penitentiary has experienced, we do not feel a particle of self-reproach; we did not adopt the dietary rashly; we have not continued it obstinately, or negligently; we hesitated long before we entered the paths, into which we were called or driven by the voice of the public; we sought for the best guides; and we have shown no unwillingness to retrace our steps, as soon as we had the slightest reason to suspect that we might be in error.

The Committee understand you then to state, that your attention having been drawn by Mr. Pratt and the matron, and by other communications from the Penitentiary, to the state of the health then existing in the Penitentiary, and to the probability that the sickness arose from the new dietary, that your mind was set at ease upon that subject by the official report of Sir James M'Grigor, which was dated the 17th of February 1823, which contains these words: "that having seen
" the whole of the female, and many of the male prisoners, he found them not in
" an-unhealthy state, and from the minute inspection of the prisoners in the infir-
" maries, he ascertained, that while the proportion of sick was small for the season,
" their diseases were not, but in a very few instances, of a serious character, and not
" attributable to diet or confinement?"—My mind was set at ease on the 14th, by the

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conversation I had with Sir James M^cGrigor, when we went round the prison, which was very much to the effect of what he afterwards wrote, and I relieved the committee from apprehension by my report to them of that conversation on the next day, the 15th. On the 22d, our minds would have been completely tranquillized by Sir James M^cGrigor's written report, dated the 17th, and containing the result of the former visit, if there had not at that time existed fresh causes of apprehension and alarm, which had occurred since Sir James M^cGrigor's visit; I may also add, that more information reached me from day to day of what had passed before I reached London, which led me to doubt very much whether the diseases in the prison were not more serious and more general than had been suspected; I allude particularly to the circumstance of my having been informed by the person who instructed the prisoners in the art of weaving, that some of the hands employed in making sail cloth and the coarser kinds of canvas, which is very laborious work, had appeared to him to have failed very much in their strength; and of my having learned from the matron and some of the other female officers, that the female prisoners had for months before been unable to eat their soup, particularly in the evening, and that warm water had been allowed to them in one ward from November last, by the directions of the medical officers, because they were unable to eat the soup in the evening, which fact has now appeared in the matron's evidence, but was never communicated as it should have been, by her, to the committee, or noticed in any report by the surgeon or the medical superintendent.

You have stated in your evidence, that the voice of the public appeared to be against the established dietary, which you state yourselves very properly to have endeavoured to remedy, as you felt it right and proper so to do; do you mean the voice of the public as it regarded that diet, was on the principle of economy?—I believe not; the charge the public made against the prison was, that honest labourers out of doors had not so good food as the prisoners found within the walls of the prison; I never admitted the quantity of food which an honest and industrious person might subsist on out of the prison, to be any criterion of what should be given to the prisoners, but the opinion of the public was very much swayed by that consideration; I certainly did admit, that the experience and practice of other prisons afforded an argument for changing our dietary, but I am now satisfied that in admitting the force of that argument I did wrong.

In a letter that Dr. Hutchison addressed to the committee of the Penitentiary, dated April 8, 1823, it is stated, that he understands that the two medical gentlemen who had been appointed to perform the medical duties, were required to attend and report independently of him; was that the case?—I know of no such direction; Dr. Hutchison has also surmised that some instructions were given to those gentlemen to leave him out of their consultations, or in some degree consider him as being of less importance than he ought to be in the prison; I can only say, that there was not the slightest intention of disrespect to him in the proceedings of the committee; the appointment of the two additional physicians was communicated to him in a civil and even friendly note from the committee; I am now, as I always have been, much surprised that he should have considered that appointment in any other light than as a relief to his own mind, and as a measure which the committee were called upon imperatively to adopt, as well for the satisfaction of the public as for the sake of having the benefit of the best assistance they could obtain for the prisoners.

Was it done on the part of the committee in any other manner than a person who in a private family wishes to call in the assistance of another physician, to a person who is not getting well under the then advice?—I apprehend we took no other course on that occasion than I should have pursued under similar circumstances in my own family; Dr. Hutchison has stated himself to have been told by Mr. Pratt, that his orders would not be complied with; that circumstance occurred long after the physicians were called in, I believe after they had made their report; during the first visits of the two physicians, they all went round together, Dr. Hutchison and Mr. Pratt, Dr. Roget and Dr. Latham went round together, and sometimes Mr. White was with them. In the male prison I very frequently accompanied them; I am not aware why they ceased to visit altogether, partly, perhaps, from the inconvenience of meeting at the same time, and perhaps from some difference of opinion; I understood certainly, from the physicians, that Dr. Hutchison did not agree with them in the degree of weight which they gave in estimating the causes of the disease to the dietary, and that he would not allow it to be a main cause of the disease.

Did Dr. Hutchison remonstrate against the appointment of those two physicians?—I am not aware that he ever expressed any dissatisfaction at the appointment

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ment till we received his letter of the 8th of April. I certainly did find at an earlier period, in conversation with Mr. Morton Pitt, that he (Mr. Pitt) very much disapproved of it, and thought that, in calling in younger physicians, we had offered a mark of disrespect to Dr. Hutchison. My answer was, that it would not have been very easy to find physicians senior to Dr. Hutchison, who had not such practice, or such other avocations, as would make it impossible for them to devote so much of their time and attention to the investigation of this sickness as would be required.

Was there, in the appointment of those two physicians, any thing done on the part of the committee that could be considered as superseding the attendance of Dr. Hutchison?—I do not apprehend that his attendance was at all superseded, or intended to be so, by their appointment. I believe the words of our resolution stated, that they should be associated with him. Not only were no instructions given, nor any hints thrown out to induce them to slight him; but I desire to say affirmatively, that there was the greatest desire, on the part of the committee, that Dr. Hutchison should be treated with that degree of attention which his standing in the profession, and the relation in which he stood towards the committee, demanded.

You have stated that Mr. Pratt did communicate, to your belief, at one period to Dr. Hutchison, that his prescriptions would not be followed; do you know at what period that communication was made?—I believe it was very late in these proceedings; and it arose in this manner. A difference of opinion had prevailed, as to the use of lemon-juice, between Dr. Hutchison and the gentlemen who were called in. I cannot fix the precise date of this occurrence; but it was after the physicians had been for a considerable time in attendance, (I believe some time in April,) that Mr. Pratt told me that Dr. Hutchison asked him this question, "If I order lemon-juice, will you give it?" I do not recollect what Mr. Pratt stated himself to have said in answer; but I know that he consulted me how he should act. My answer was, that this was rather an embarrassing question to put to me; that of course I had hoped and believed, that those gentlemen would act together; but that, if Dr. Hutchison alone ordered any thing contrary to what the other gentlemen approved and were giving, I thought it should not be administered till the committee could be consulted upon the subject. I believe I had been told, that Dr. Hutchison had addressed some formal letters to those gentlemen, recommending the use of lemon-juice.

Do you not think, if a communication was made to the superintending physician by another medical officer in the establishment, that his orders would not be complied with, that it must be considered by him as superseding him in the execution of his duty?—I certainly do think so; and I conceive the effect of that ought to be to make him distinctly apply to the committee, or resign. I had not the latter part of the alternative in my contemplation when I gave that answer to Mr. Pratt; I expected that, if Dr. Hutchison persisted in wishing to adopt a different treatment from that which the other two physicians were pursuing, he would have applied to the committee, which he would have had an opportunity of doing in a day or two afterwards. I felt myself in a very awkward situation with respect to Dr. Hutchison; at the same time, I could not tell the surgeon that he must obey two masters, and must give the lemon-juice that Dr. Hutchison prescribed, when the other physicians might be adopting a different course of treatment. Any conversation of this kind I had with Mr. Pratt was as a private member of the committee; I gave no order upon the subject, but only advised him for the best.

In the letter which has been before the public, and addressed by Mr. Morton Pitt to Dr. Hutchison, the Committee find these words: "The fundamental error seems to have been, that, with the exception of the present newly-appointed governor, those who have been appointed to that office have never been invested with the powers due to their situation, and necessary to maintain order and subordination. Too much detail has been undertaken by the committee and visitors; and, in point of fact, they have been considered as the governing, instead of the superintending power." Can you give any explanation to these topics in this letter?—I certainly know of no powers given to the present governor that were not given to his predecessors; of course, an active man will do more, with the same powers, than one who has less activity. It was always the direction of the committee, that every person who applied for the situation of an inferior officer in the Penitentiary, should be seen and approved of by the governor, in the first instance. If the governor exercises his discretion properly upon such occasions, and will take

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the trouble of making inquiries respecting the candidates, he will save the committee a great deal of trouble, by sending before them only such as are likely to meet with their approbation. The late governor sent a candidate to the committee very much as a matter of course. Many other instances might be stated, in which an active and intelligent governor will do more, and save more trouble and time to the committee, than a governor of a different description; but I know of no difference in the powers given to the present gentleman and those possessed by his predecessor. It has been ever Mr. Pitt's opinion, that we should have a person of the rank of a gentleman in the situation; and I have always concurred with him in that opinion, though he has more than once seemed to think, that my sentiments were different from his upon this point. When the present gentleman was thought of, I introduced him to Mr. Pitt; and Mr. Pitt appeared to be extremely pleased with the selection we had made, thinking an officer in the army, who had been a captain and paymaster in one of the best regiments in the service, was likely to be a great acquisition to us. Mr. Pitt parted from Captain Chapman, expressing a hope that, when he came to town again, he should find him in possession of his office. I can only account for Mr. Pitt's resignation, from his having been led by Dr. Hutchison to believe that he had been ill-treated, and by his anxiety to give the testimony of his approbation to a gentleman for whom he entertained great private friendship and personal respect, which, indeed, are the reasons he has himself stated. In a new establishment, in which we had a system to create, all the rules and regulations to make, and, if I may so say, had to make our officers as well as the rules, a great deal more interference has been necessary, on the part of the committee and visitors at the outset, than would be necessary or proper when the system was thoroughly established; but I am not aware that the former governors were at all controlled by the committee in any thing in which they wished to exercise a judgment; on the contrary, I think the defect of the late governor was, that he did not put in force the powers intrusted to him; and I must say, that some of the most minute details that ever have been presented to the committee of the Penitentiary have come from the suggestions of Mr. Pitt himself.

Mr. Morton Pitt also goes on to make the following observations; "I have often lamented the jealousies and cabals among the officers, which from an early period have been too prevalent in the Penitentiary, and have led to a system of malicious tale-bearing, which I had always hoped would have been more discouraged; with all the credit I am disposed to give to the visitors for purity of intention and zeal in discharge of their duties, I must consider their not having effectually crushed such a system to have been detrimental to the discipline of the institution, and inevitably must often be injurious to deserving individuals." Have you any observation to make upon that paragraph?—As I have not been a visitor in the prison till since the 25th of March last, for a very considerable time, perhaps I might say that these observations cannot be supposed to apply much to me; but, however, as I certainly have a more thorough knowledge of the prison than any other member, and have passed a great deal more time within its walls than other members, I am perhaps the person best qualified to speak to this point; I can safely say, that I do not know to what these observations can apply; there have been very few charges or accusations brought by one officer against another in our establishment, and I believe that of the credit or discredit of dismissing those officers who have been removed, or parting with those who have ceased to belong to it by resignation, I must take the greatest share, for certainly most of the irregularities or cases of misbehaviour in our officers, which have shown persons employed at the Penitentiary to be unfit for their situations, have been brought to the knowledge of the committee by me, and it is one of the most unpleasant circumstances connected with the duties of the committee, that we never part with an officer without making enemies of that officer's friends. I ought to state, that one or two officers, of whom Mr. Morton Pitt had a very high opinion, have been removed from the Penitentiary, and I cannot help thinking, that he has formed as erroneous a judgment as to the sufficiency of the grounds on which we parted with them, as he appears to have done in the last instance, as to the dismissal of the late medical superintendent.

Are the Committee to understand, that no private member of the committee can act in any way upon his own immediate opinion, in giving orders or directions, or in any other act whatever, upon the moment, without having recourse to the general body of the committee, at any period at which they may be called upon to sit?—In order that there may be no defect of power to give orders in the intervals between the meetings of the committee, it is directed by the Act of Parliament, that one or

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two of the members of the committee shall be appointed visitors, and it is in their power to give any orders or directions which the committee itself could give, if sitting, on any emergency that may occur in the intervals between the meetings of the committee; those orders must be in writing; the order when signed is pasted into a book kept for that special purpose, which is laid upon the table of the committee at every meeting. By the regulations of the prison, every private member has a right to make any inquiries which he may think fit; he has, however, no power whatever to give any orders or directions, but is to report such matters as may appear to him to require particular attention, to the visitor, or to the committee, at his discretion; the visitor himself cannot give any order or direction which authorizes a departure from the rules of the prison, except by an order in writing signed by his name.

Is that order subject then to the approbation or disapprobation of the quorum at their day of assembling?—Most undoubtedly it is; the book is laid before the committee regularly; they should confirm the visitor's order; I will not pretend to say that this form has actually been observed in every instance; the committee have approved of orders in many instances, and suffered them to stand without a regular confirmation.

You have stated in a former part of your evidence, as a matter of complaint, that the letter written by the late medical superintendent was addressed to yourself, and that it was rather a singular direction, as you were not visitor at that period of time; the Committee wish to know whether, by your being so much within the prison as you state yourself to be, you might not be considered, and were not considered, universally throughout the whole of the officers of the Penitentiary, as being the active operating person, whether you were visitor for the week or month, or whatever period of time for which that office is held by the members of the committee or not, as the person to whom, from your being so long there, and so often there, and directing so much the orders, rules, and regulations of that prison, whether you were not considered the proper person for every officer to address himself to?—Certainly I was not; I did not, however, complain of the direction of this letter to me; I stated that circumstance as a part of the history of the transaction; my complaint was, that the information contained in that letter was not given to the committee, at a time when the committee was sitting and might have acted upon it, but was written after the committee had broken up, and was directed to another person, the visitor, who was less likely to take any proceeding upon it, although if there had been any thing that called urgently for an immediate measure, the visitor could certainly have given any order that might have been necessary; my complaint was, that it was not addressed and sent to the committee at such a time as to allow of the committee's acting upon it; I have no doubt the reason for directing it to "the visitor for the time being" or to myself in the alternative, was because Doctor Hutchison naturally expected that any information which might reach me would be conveyed to the visitor for the time being without delay.

Then the Committee collect from the answer to that question, that you did not think that Dr. Hutchison was so irregular in writing that letter, and directing it as he did, inasmuch as you distinctly and fairly state, that you were, of all the persons presiding over that great department, the one from whom he might really consider redress or answer to any question he might put would immediately flow?—I beg to state that he could not conceive that any answer would come from me, all that he could reasonably expect was, that the information would be speedily communicated to the quarter which he intended it should reach; but my complaint relates in no respect to the direction of the letter, but is founded upon the period at which the letter was written; the information is delayed till the committee has separated, and is given at a time therefore when they cannot receive it, and do any thing upon it, in fact the information was thereby delayed for a week as far as the committee are concerned.

When was the letter given to the visitor?—I suppose it reached him on the Monday or perhaps on the Sunday.

Is there not a power in the visitor, for instance, upon receiving a letter of considerable importance to the good management of the establishment, to summon a committee instant?—There is such a power, but the information in this letter the committee will see, is nothing more than that a few cases of scurvy have arisen, but that the disease is getting better, there is therefore no order to be given upon it, though the information is important; the circumstances attending the writing of this letter only defer to a later time, the information that Dr. Hutchison gave to the committee.

You received a letter upon the 14th?—The committee would regularly have received

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received that letter on the 15th, had it reached them at all; the object of my observation was to show that Mr. Pratt gave the first information, and that Doctor Hutchison's letter, although dated on the same day, could not reach the committee till a week afterwards.

[The following Papers were delivered in:]

" List of the First Committee of Superintendence of the General Penitentiary, appointed 12th February 1816.

The Right honourable Charles Abbot.
The Right honourable George Rose.
The Right honourable Charles Bathurst.
The Right honourable Sir Charles Long.
The Right honourable Richard Ryder.
Sir William Curtis, baronet.
Sir James Shaw, baronet.
Sir Benjamin Hobhouse, baronet.
John Fane, esquire.
William Morton Pitt, esquire.
George Peter Holford, esquire.
Edward Bootle Wilbraham, esquire.
Davis Gilbert, esquire.
George Byng, esquire.
William Mellish, esquire.
Charles Shaw Lefevre, esquire.
Charles Wetherell, esquire.
The Reverend Archdeacon Pott.
The Reverend Archdeacon Cambridge.
The Reverend John Thomas Becker."

" On the 23d of August thereafter, in consequence of the resignation of Lord Colchester and Mr. Wetherell, the Right honourable Sir Archibald Macdonald, bart. and Sir Charles Edmonstone, bart. were nominated in their stead."

" The second committee was appointed on the 9th June 1821. Of the former list there were left out,—

The Right honourable George Rose (dead.)
Sir Charles Edmonston, bart. (do.)
The Right honourable Richard Ryder.
Sir William Curtis, bart.
Sir James Shaw, bart.
Sir Benjamin Hobhouse, bart.
John Fane, esq.
George Byng, esq.
Charles Shaw Lefevre, esq.
Rev. John Thomas Becker.

" And there were substituted for them:

The Right honourable John Becket.
The Right honourable William Henry Fremantle.
Honourable F. G. Calthorpe.
William Courtenay, esq.
Thomas Grimston Estcourt Estcourt, esq.
Giles Templeman, esq.
Charlton Byam Wollaston, esq.
Henry Revell Reynolds, esq.
Charles Bosanquet, esq.
The Rev. Thomas Rennell.

" Shortly after this appointment, Sir Archibald Macdonald intimated his resignation, on account of growing infirmity.

" The present committee was appointed on the third of April last, consisting of—

" Seven members of the first committee continued:

The Right honourable Sir Charles Long.
William Morton Pitt, esq.
George Holford, esq.

E. Bootle

E. Bootle Wilbraham, esq.
 Davies Gilbert, esq.
 William Mellish, esq.
 Rev. Archdeacon Pott.

“ Six members of the second appointment, continued :

Honourable F. G. Calthorpe.
 William Courtenay, esq.
 Thomas Grimston Estcourt, esq.
 Henry Revell Reynolds, esq.
 Charles Bosanquet, esq.
 Rev. Thomas Rennell.

“ Seven new members :

Right honourable Lord Bexley.
 Sir Edward Hyde East, bart.
 Sir George Farrant.
 The Rev. Dr. D'Oyley.
 James Clitherow, esq.
 John Edward Dowdeswell, esq.
 Thomas Harrison, esq.

“ The seven left out upon this appointment were,—

Right honourable John Becket.
 Right honourable William Henry Fremantle.
 Giles Templeman, esq.
 Charlton Byam Wollaston, esq.
 Right Honourable Charles Bathurst.
 Rev. Archdeacon Cambridge.
 Right honourable Sir A. Macdonald.

William Morton Pitt, esq. has since resigned.

“ List of the Principal Officers of the Penitentiary, with the dates of their respective Appointments.

Governors - - -	{	John Shearman - - - - -	25 March 1816.
		Henry Ryde - - - - -	9 May 1817.
		John Couch - - - - -	10 June 1818.
		Jordison White, the master manufac- turer, was put in charge as deputy governor, owing to the illness of	29 May 1820.
		Mr. Couch - - - - -	
		Mr. Couch resumed his duties - - -	7 July 1820.
Master Manufac- turers - - -	{	Benjamin Chapman - - - - -	25 March 1823.
		Thomas Webb - - - - -	5 April 1816.
Matrons - - -	{	Jordison White - - - - -	13 March 1818.
		Mrs. Chambers - - - - -	5 May 1816.
		Mrs. Sharpe - - - - -	28 Feb. 1817.
Stewards - - -	{	Mrs. Wilkinson - - - - -	1 July 1820.
		John Hatch - - - - -	29 March 1816.
		Thomas Rickford - - - - -	13 May 1820.

“ The Chaplain of the General Penitentiary, The Rev. Samuel Bennett, M. A.
 appointed 25th March 1816.”

(Copy.)

City and Liberty of Westminster, } “ Informations of witnesses severally taken and
 in the County of Middlesex. } acknowledged on the behalf of our Sovereign Lord
 the King, touching the death of Ann Martin, at the prison called or known by the
 name of the General Penitentiary, situate at Milbank, in the parish of Saint John
 the Evangelist, in the said liberty in the county aforesaid, on the 21st day of April
 in the fourth year of the reign of our Sovereign Lord King George the Fourth,
 before me John Henry Gell, His Majesty's Coroner for the said county and liberty,

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on an inquisition then and there taken, on view of the body of the said Ann Martin, then in the said parish in the said liberty, in the said county, lying dead, as follows, to wit:

" *Benjamin Chapman*, Governor of the said Penitentiary, on his oath deposeth:

" The deceased was tried at the Old Bailey, on 26th September 1819, and convicted of stealing lace, for which she was sentenced to seven years transportation, which punishment was commuted to five years confinement in this Penitentiary, where she was received on 29th October, 1819, she was then stated to be twenty-one years old, and in good health.

(signed.) " *Benjamin Chapman*, Governor."

" *John Pratt*, Surgeon to the said Prison, on his oath deposeth:

" The deceased was removed to the infirmary on 19th January, 1823, complaining of want of power in her legs, so as not to be able to support herself long, and which disease gradually increased and she became paralysed; her stools and urine passed involuntarily; large ulcerations took place upon both hips; and erysipelas inflammation took place on the right thigh, which mortified and caused her death: her sister, who is a prisoner, has informed me, that the deceased for about two years, and prior to her being in this prison, had lost the use of her legs; she was distorted in her spine, which must have brought on the disease of which she died; she was attended by Doctors Hutchison, Roget, and Latham, (as well as by myself,) and by Surgeon White: she died yesterday morning.

(signed.) " *J. Pratt*."

" *Sarah Martin*, late of the parish of Saint Giles's, Middlesex, and now a prisoner in this Penitentiary, on her oath deposeth:

" The deceased was my sister; she was first taken ill with a cold in November last; she wrote for the doctor to admit her into the infirmary, where she was admitted three days after; she was soon after removed to the pentagon; she was again admitted into the infirmary in January; I was not allowed to remain with her until the 24th of March: she became unwell soon after the short allowance was regulated, and was very indisposed at times, until she was finally admitted into the infirmary; the diet affected her inside, (as it did mine and also others): since the full allowance of victuals there has been no reduction of it; the deceased hurt her back when she was about six years old, but when she recovered from that, which was about two years after, she continued in good health until the time before-mentioned, when she was in this prison, and short diet commenced; her illness was brought on through want, as she could not eat the victuals allowed her, and could not procure other victuals; she tried to eat the said victuals, but could not; she ate the soup as long as she could, but was unable afterwards to take it; this the people of the prison knew; as to the bread she would not eat an ounce in three days, and the soup she could take none of it for weeks before she was admitted into the infirmary. The gruel was three quarters of a pint once a day, the greatest part of this she drank; she had water allowed her."

(signed) " *Sarah Martin*."

" *Benjamin Chapman*, the Governor, again called in; and further deposed:

" According to the prison register, Sarah Martin (the prisoner examined) came here for receiving stolen goods. It is entered, that her character was good, previously to her committing the said crime, and she has conducted herself perfectly well since her confinement here."

(signed) " *B. Chapman*, Governor."

" *John Pratt*, Surgeon, again called in; and further deposeth:

" The deceased was not admitted into the infirmary until January last."

(signed) " *John Pratt*."

" VERDICT.—THE deceased, between July last and January last, became unwell and disordered in her body, occasioned by the short allowance and the quality of the provisions given her in the said prison; that, on the 19th of January last, she was removed into the infirmary thereof, complaining of want of power in her legs, so as not to be able to support herself long, and which disease gradually increased, and she became paralysed; her stools and urine passed involuntarily; large ulcerations took place upon both hips; and erysipelas inflammation took place on the right thigh, which mortified and caused her death, which took place on the 20th instant." (A true copy.)

" *John Henry Gell*, Coroner."

Veneris, 6^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

George P. Holford, Esquire, a Member of the Committee ; further Examined.

IS there any amusement of any kind, or any thing that may be called recreation in the Penitentiary?—There is not ; and as the prisoners must in general be better fed and better clothed and lodged in this prison than many of them ever were before they came into it, we should be afraid that if we allowed them any amusement, the Penitentiary would be no terror to the evil disposed part of the public.

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Has it ever been suggested to you, that it would be of advantage to allow any amusement to any class of prisoners in the Penitentiary?—I do not know whether it has ever been suggested ; when the prison was first opened the prisoners did not walk as they do now, two and two, but walked to and fro as they pleased ; it was, however, found that this led to attempts to play at different games, and the practice has been discontinued ; it was found to occasion noise and sometimes tumult among the prisoners, and the practice has ceased for three or four years.

Then it appears that now prisoners, when taking the air or exercise by walking, are allowed only to walk two and two?—The rule in the printed regulations sanctioned by the judges is, that they shall walk as the governor shall direct ; at the time the rule was made it was not determined whether they should walk in single file, or two and two, or whether, in the second class, those who associated in the same cell should not walk together ; but it was thought better, on consideration, that they should walk two and two, and it is so directed by the governor accordingly.

When the prisoners are so walking are they allowed to converse?—Each man may converse in a low voice with his neighbour, but he is not permitted to converse with any other than the prisoner with whom he is walking.

And even with that individual with whom he is walking, no conversation is allowed but in a low tone of voice?—Certainly, that is so.

When the prisoners are at work on the crank mill, are they allowed to talk at all?—I do not think it would be very easy to hold much conversation at such times, but they certainly are not allowed to converse there with each other.

If a prisoner were to attempt to talk, would not the task-master stop him?—He would do so ; and I think prisoners have been reported for having talked at the mill, and not having been silent when ordered by the officer.

When prisoners are in their cells more than one at a time ; for example, the second class ; are they allowed to converse in any tone of voice which could be heard by any person walking along the passages?—They are not ; they are specially enjoined not to let their voices be heard by any person walking along the passages.

So that in fact, whether the prisoners are in their cells, or at their work, or are walking, they are not allowed to talk in any tone which might be said to be louder than a whisper?—They certainly are not ; great care is taken to preserve silence in the prison.

If the prisoners were allowed to talk to each other in any manner they pleased, would not that produce a complete uproar in the prison, in consequence of the number confined in the Penitentiary?—It probably would produce a good deal of noise and confusion ; I believe that those persons who have attended most to prison discipline, lay great stress upon silence being preserved, and I think myself that the preservation of silence is of very great importance.

When visitors converse with any of the prisoners who are their friends, it appears that they always have, except in special cases, a keeper placed between them so as to overhear the whole of the conversation?—That is the case, according to the rules, generally ; the prisoners never see their friends without the presence of an officer, unless by a special order to that effect, or in particular cases, in which the chaplain has a power to admit persons to see prisoners at the desire of the person making such request ; in such cases the presence of the chaplain alone is sufficient.

How long is such visit allowed to take place?—The length of the visit, under the general rule, is ten minutes, and that is measured by a ten minute sand glass.

Does the turnkey regulate the sort of conversation which is allowed to take place, that is to say, if any question were asked, as to the news of the day, for example, would the visitant be allowed to respond?—I believe he would, but that subject has

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not come under my particular consideration ; I recollect that when a task-master desired to know what he should do, in case of a prisoner's making very violent complaints to a friend of the treatment which he experienced in the prison, he was instructed to request the friend of the prisoner to see the governor or the chaplain before he left the prison, and I believe that instruction was afterwards given generally.

Then complaints are not interdicted?—Certainly not ; and any letter a prisoner offered to send out containing a complaint would not be stopped ; all the letters which come in and go out are read by the governor and the chaplain ; there is no rule established as to what shall be stopped, this is left to the discretion of the governor or chaplain, but any letter which is stopped by either of those officers, must be laid before the visitor or committee.

Are you aware, that in common prisons, amusement is not only allowed, but rather encouraged, as is the case in many of the great prisons in London ; for example, the playing at ball is allowed amongst convicts almost up to the day of their execution?—I am not aware that it is allowed in any of those prisons where discipline is considered as of importance in the case of convicted prisoners ; it is not so at Devizes or at Gloucester, nor do I believe that such indulgences would be found to exist among convicts in any of the best regulated prisons.

With respect to the books the prisoners are allowed, at whose discretion is the selection of those books made?—The selection of the books for the prisoners, is left entirely to the chaplain, but with a strict limitation, that he shall allow no books but such as are on the list of the Society for promoting Christian Knowledge ; the reason of that limitation was to protect the chaplain from constant applications for permission to introduce particular books and tracts, which applications, if it were in his power to comply with them, would impose upon him the trouble of reading all the publications that were so offered, and the delicate task of pronouncing an opinion on regard to their fitness for the use of the prisoners. When the prison was first opened, there were several quakers who visited the prison, and they were very free in distributing tracts ; upon a refusal being given to circulate those tracts, the chaplain was questioned as to his reasons for rejecting them ; in order to protect him from such inquiries, it was thought right to limit him in the way which has been mentioned, and that rule has been observed nearly from the opening of the prison to the present time.

Do you know whether the whole of the books that are found upon the list of the Society for promoting Christian Knowledge, are in the strict sense of the word, religious tracts?—I believe they are not ; perhaps I should add to my other answer, that the chaplain has a power to apply to the committee for such grammars and spelling books as he may require, which are freely supplied, though not upon the list of the Society for promoting Christian Knowledge.

The books chiefly are bibles, testaments, liturgies, and those books that are used in the Church of England service?—Yes.

No books, which may be termed books of amusement, are allowed?—The rule laid down by the committee on this subject, is the sixth, under title " Chaplain," and is as follows : " He shall be supplied with books and tracts (from the list of the Society for promoting Christian Knowledge,) and shall issue them as he shall think proper, and shall apply to the committee for such spelling books, grammars, &c. as he may require for the use of the schools." The committee never have given any other direction but that ; the chaplain alone can speak to the manner in which he exercises his discretion under it.

Then you are not aware that those books which mix amusement with religious and moral instruction, such as the works published under the name of " The Cheap Repository," by Mrs. Hannah More, and other works of that class, are ever introduced into the prison under the direction of the chaplain?—I have no doubt the chaplain might introduce them, if upon the list of the Society for promoting Christian Knowledge.

Has it ever been suggested that it would be advisable to allow books for the use of the prisoners, containing no matter that could possibly be prejudicial in any point of view to them?—The rule having intrusted the chaplain with the discretion of distributing books to the prisoners, I should hardly think myself competent as an individual member of the committee to give an answer to that question ; it would require a considerable degree of consideration.

Do you think that the permission of a judicious selection of History, for example, Goldsmith's History of England, and parts of the translation of Rollin's Ancient

Ancient History particularly, might not much tend to the bettering of the moral and the intellectual condition of the prisoners in the Penitentiary?—Perhaps my answer to that should be a general one; *viz.* that I have no wish to provide any amusement for the prisoners; I do not apprehend, as I have before stated, that dejection of spirits is common in the prison, and I have no desire to make their situation less irksome by giving them amusement; when I consider the many advantages in respect to their treatment, which they must have in the Penitentiary, over other parts of the community.

Are not those advantages rather of a physical kind than of a moral kind, such as clothing, diet, and lodging?—They certainly are.

Is not one of the great objects of the Penitentiary, to send the individuals out of it better qualified to be good members of society, than when they came into it?—It is certainly the object of the Penitentiary to send the individuals out better qualified, by moral and religious instruction, to be good members of society; we think it right to teach them to read and write; but I doubt whether the course of reading which the question proposes, would not have a tendency to raise the minds of the prisoners above their condition, instead of having the effect of qualifying them for the stations which they may have to fill.

It appears that they are allowed in the prison, a certain portion of books connected with education; such for instance, as certain branches of arithmetic?—The chaplain has the power of allowing those books.

Under the common name of school arithmetic?—Yes.

It appears that some of the people are taught to write as well as to cipher?—They are all taught writing, and may be taught ciphering at the discretion of the chaplain.

Do you happen to know how far they go in arithmetic?—I do not; I believe there is no general rule on the subject; if a prisoner has had a particular wish to improve himself, and has been a well-conducted prisoner, that indulgence has in some instances been given by the chaplain, but I do not know that arithmetic generally is taught in the prison.

To Mr. Bennet, a member of the Committee.—Are you aware of any of the prisoners now confined in the Penitentiary, going as far as decimals and vulgar fractions?—In going round the establishment this day, in one of the cells there were three lads, all of them of remarkable decent manners and behaviour, and two of them upon being questioned as to the books which lay upon the shelf in their cell, declared that one of them had got as far as vulgar fractions, and the other as far as decimals.

To Mr. Holford.)—If it be permitted that certain prisoners should go so far in arithmetical knowledge as decimals and fractions, do you not think the principle, where the same disposition and capacity exist, might not be applied to others with advantage, and also in addition to religious reading, to permit them to have historical reading?—I do not see any advantage in framing a general course of instruction, which should embrace historical reading; on the contrary, I doubt whether it would not have a tendency to introduce ideas into the mind of the prisoner above his situation in life, at the same time, I do not mean to state what might be the case under special circumstances; I think it likely, that those who are making progress in arithmetic, have come into the prison well instructed, and probably they have requested the chaplain to allow them to improve themselves in a study in which they had before been engaged; in a case of that kind, a discretion might be exercised without being a ground for any general system of education.

Do you not think that a judicious selection from the great moral essayists, for example, from the Rambler and Idler, and some of the papers of the Spectator, might be allowed with great advantage, not for amusement, but as mixing up a superior kind of moral instruction with religion?—I cannot help thinking, that on the lists of the tracts of the Society for promoting Christian Knowledge, will be found quite books enough for the purposes of moral and religious instruction; and the cultivation of intellect in any other way, does not, as it seems to me, belong to the province of the education of a Penitentiary.

To Mr. Bennet.—Did you ever hear of any application to read certain books, being made by any of the prisoners confined in the Penitentiary?—Sometime back, a person wrote to me a letter, which he sent in the regular way, requesting the first time I came here I would call upon him; I saw him to-day, and he announced to me that he was the person who had entered into a correspondence with me some

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years ago from Lancashire, and with whom I had had some communication through the medium of very respectable persons at Liverpool; he is evidently a person of no common endowments; he is here under an assumed name, he is connected with one of the first Shropshire families, he is a person of strong religious feelings, a dissenter from the church of England, and of very studious habits; he requested me to procure for him, if in my power (and that was the favour which he had requested to see me about) the perusal of some other books besides those which he had; I asked him what were the books which he was desirous to have, he said Rollin's Ancient History, but that he was more particularly anxious to read the best works of the Greek and Roman history. I asked him if there were any other books which he wished to read, he said no, not immediately; but that he had much time which was very irksome to him, that he found his mind wandering upon subjects that were very painful, and he was very solicitous to have some other thoughts put into it than what existed there already; he is evidently (and I know he had that character before he came here) a person deeply impressed with strong religious impressions; and I am sure that his request proceeded from a conviction in his own mind, that the books which he wanted to have, were as much for medicine to the mind as any thing else.

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To Mr. Holford.—Having heard the account just related, would a person so circumstanced be allowed to have those books?—It is impossible for me to say what the committee would do upon a particular application of that sort; but if I am asked what is my opinion, I would not allow a person of that description books and amusement, which the meanest man in the prison also should not enjoy.

Do you think it is not a greater punishment to a man of a higher order and more cultivated education to be confined without books, than it is to a person of meaner order and less cultivated education?—The nature of the offences for which persons come into this prison is degrading; and, therefore, all who come into it must, in some degree, be considered as being on the same level; it is a greater punishment to one man to be closely confined, than it is to another; and so is a fixed prison dietary a greater punishment to a man who has been used to live luxuriously, than it is to a person who has had less opportunities of enjoying luxurious food; but these minute distinctions can not be attended to in a system of imprisonment; and if a person of refined intellect feels the punishment to be in proportion to that refinement, it should be recollected that his offence is greater than it otherwise would have been, had he not possessed that superior intellect and station in society.

Having heard, what you have stated, from the regulations of the Penitentiary, that the chaplain is to be supplied with all books and tracts such as are upon the list of the Society for promoting Christian Knowledge, would he be permitted, from his own library if he found any person of greater knowledge than others, to assist him by lending him books?—I think that by so doing he would act contrary to the regulations; that is, if it were done without the leave of the committee; when I say that no books can be introduced except by the consent of the chaplain, I do not mean to apply that observation to the case of a dissenter or Roman catholic, who may be furnished by the minister attending him with religious books, but all such books must be shewn previously to the chaplain, who is particularly required by the rules “to take care that improper books are not introduced into the prison under this permission.” I should also add, that where prisoners have been allowed to make great progress in arithmetic, it may have been considered that such knowledge might be useful with reference to their particular pursuits in life; such for instance may be the case with a carpenter, to whom it may be useful to understand measuring; but I do not think that learning of this kind has been encouraged or allowed with a view to the general cultivation of intellect of the prisoners at large.

Do you know what portion of time in the day a prisoner is allowed to read?—He has no time in the day in which he can read, for it is all taken up between working and walking in the yard; prisoners have been allowed to carry their books with them when walking round the yard; the committee said in answer to an application from the late governor upon that subject not long ago, that they saw no objection to that practice; the only leisure time which the prisoner can have to read is, after he is locked up in the summer time, when he may have two or three hours day light, or very early in the morning before he leaves his cell.

Have you found any letter on the part of Dr. Hutchison, with respect to air and exercise?—I have very carefully examined all the medical reports made by Dr. Hutchison and Mr. Pratt, as far back as the autumn of 1821, and I do not find
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(except the report of the 4th of October 1822, already printed) any report or letter in which air and exercise are mentioned; but having borrowed Mr. Pratt's private letter book for another purpose, I found by accident an entry of the following letter, which I understand he was desired to enter there, by Dr. Hutchison, and the original of which must therefore have been prepared to be sent to the committee; and I think, upon reading that letter, I recollect what passed with regard to it. The letter is as follows:—

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"Gentlemen, Leicester-square, 22d March 1822.

"Having observed several of the prisoners walking lame in the airing yard, particularly such as are employed as tailors, and during the winter more than in the summer, and some of them having complained also of pains in their knees and ankle joints, I cannot account for the circumstance in any other way, than that they have not sufficient walking exercise.

"I beg leave to propose, therefore, that they be required to trot round the yard for the first ten minutes, to walk the next, and then to trot again; or that they be allowed to remain out a longer period each day, for the purpose of more exercise.

"I have the honour, &c. &c.
(signed) "A. C. H. M. D."

"The Honourable the Committee, G. P. &c. &c."

My belief is, that the committee saw Dr. Hutchison on the day on which this letter is dated, and that a good deal of conversation then took place on the subject of this letter; I think it extremely probable that the letter itself was produced, and read by Dr. Hutchison; it is quite clear that the committee had a personal conference with Dr. Hutchison on the subject of it, for he has stated in his evidence, that the expression he used was a "military trot," and that I observed, "you mean double quick time;" I conclude, however, that the letter was not left with the committee, because I can find no trace of it among our papers, and if it had been delivered in and afterwards mislaid, (as every paper is regularly numbered), the series of numbers would be imperfect, which on search I find not to be the case; it is to be observed too, that this letter is dated on the 22d of March 1822, which is only three days before the exercise of the prisoners would be regularly increased, according to the advanced season of the year; there was therefore no occasion for taking any immediate steps upon it; it is also possible that Dr. Hutchison might take back the letter to reconsider it, as it does not seem to be sufficiently clear to be the foundation of any rule; the proposition is, that the prisoners should trot round the yard for the first ten minutes, should walk the next, and then should trot again; this of course can only apply to the second class prisoners, as the first class prisoners are only in the winter season, during which this letter was written, ten minutes in the yard at a time, and if it does apply to second class prisoners, it requires some further explanation; the second class prisoners are in the yard about three quarters of an hour at one time in the winter, and according to this letter it would be uncertain whether they were not intended to trot for ten minutes, to walk for ten minutes afterwards, and then to trot for the remainder of the time, and if so, they must trot for twenty-five minutes, which would be a very long period for trotting; it is therefore very possible that Dr. Hutchison might take back the letter with a view to explain himself more distinctly upon that subject. It might naturally have been expected that the subject would have been resumed in the autumn, when the winter course of exercise again commenced, but Dr. Hutchison, in his report of the 4th of October 1822, does not revert to this recommendation; he only states, that some of the first class prisoners complained to him that they had only five minutes air and exercise during the day; which was founded evidently upon mistake.

Jovis, 12^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

George P. Holford, Esq. a Member of the Committee, further Examined.

DO you know how many deaths have taken place in the Penitentiary, since the first day of January last?—I think it is thirty.

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Do you know whether the bodies of any of those thirty persons, have been opened?—Some of those bodies have been opened; before this disease occurred in

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the prison; it came to the knowledge of the committee that two bodies had been opened in the infirmary, in the presence of the then governor; the committee thought it was an extremely improper thing that any such proceeding should take place with respect to the bodies of prisoners, before the coroner sat; and were not disposed to give any general authority at that time, to the medical gentlemen to open bodies at all; after, however, the disorder prevailed to a considerable extent, the medical gentlemen having represented that it would throw some light on the disease, and enable them to treat it with more benefit to survivors, if they were permitted to open the bodies, a special minute was drawn upon that subject, which I will produce to the Committee the next time they meet: the committee thought that the circumstance of there being a disease in the prison on which light might be thrown by opening the bodies, justified them in ordering those bodies to be opened, which the friends did not desire to have given up to them; the question was a good deal considered in the committee, and it was thought that as in such a case the members of the committee would probably direct the body to be opened in their own families, they might deal in the same manner with the bodies of prisoners, conceiving they had a right to deal with the bodies of prisoners, as they would with members of their own families, and not otherwise; the minute was a direction, I think, to the governor to allow the medical gentlemen to open the bodies of any persons that might be supposed to die of this disease, and I think it added, that it should not be without the consent of their friends.

When any person has died, having friends resident in any part of England, has a communication been made to his friends, before the body was buried?—The general practice of the prison is to write to the friends of the prisoners dying, if they are within reach, and can be at the prison in time, before the body ought to be buried; if the friends are desirous of having the body, it is of course given up to them.

What is meant by “within reach?”—If any prisoner is known to have friends residing within such a distance as to allow of those friends coming, or writing to the Penitentiary before the body is buried; a communication is made to those friends, and there are cases where a burial has been delayed, that the friends might have an opportunity of attending; it is impossible to define that by any very precise limits.

Within fifty or sixty miles?—I remember in a very recent instance an application made by a friend of a prisoner in town, that a burial should be delayed for a day in order that some relations who lived fifty or sixty miles from town, might be up to attend the funeral; that request was complied with, and the friends did come and attend the funeral.

It has not been a general rule to apprise all relations of a deceased prisoner of his death, where they resided upwards of a hundred miles off?—The prisoners friends at any distance, I apprehend, would be apprized of his death, but the funeral would not be delayed, if it was impossible to receive a communication from them in proper time.

Whose duty has it been to apprise the friends of the prisoners?—I am not aware that the rule prescribes that, but the chaplain has always done it; it may have been done in a particular instance, by the governor, but generally by the chaplain.

You do not know how many bodies of the thirty prisoners who have died since the first of January, have been opened?—I should think, not a very great proportion of them; but I am not aware of the number, it being done under a special minute, which allows of the opening under certain circumstances, and no return made to the committee of it; I have no official information of it.

Was no report made to the committee by the person opening the body?—The committee have never had any official report, it was considered as of use to enable the gentlemen who now take the medical charge of the prison, to form their opinions of the nature of the disease, and they have never reported any circumstances attending the opening of the body, or even stated what bodies they had opened.

There has been no register kept of the bodies opened, together with their observations?—None, that I am aware of; none has been laid before the committee.

Are you aware whether any prisoner has died since the Committee were at the Penitentiary on Monday?—No; certainly not.

Are there any in circumstances of death?—There is one woman who has been at the point of death for some days, with water on the head.

Alexander C. Hutchison, M. D. called in; and further Examined.

*Dr.
Hutchison.*

(12 June.)

WHEN did you leave the Penitentiary?—I believe it was the 19th of April.

How many deaths had taken place between the 1st of January and the 19th of April?—I cannot recollect, but there were *only two* in January.

Of that number, how many bodies were opened, either by you or in your presence?—I think not more than three or four; I opened them all myself; I was assisted by Mr. White and Mr. Pratt.

Who were present at the opening of the bodies?—Doctor Roget, Doctor Latham, Mr. White, and Mr. Pratt; I am not sure whether Mr. White was present at the opening of every body, but he was at some.

Where were they opened?—In what we call the dead room.

Can you mention the names of the persons whose bodies were opened?—Yes, I think I can mention the names of some of them; Mansfield was one, Church was another; there were two others who had ecchymosed blotches on the mucous membrane of the intestines, whose names I cannot at this moment recollect; they were of the same character as the blotches on the legs.

Was there any statement drawn up of the cases of those persons who were opened, or any minute made in a book?—There was not.

Did you yourself make any note?—I made no note; the transaction is so recent, and so many of us being present, there can be no doubt about obtaining correct information even now, upon that subject, and if it is wished, I shall be happy to join the other gentlemen in drawing up a report.

Is it not usual on the opening of bodies on occasions so important as that which appears to have occurred at the Penitentiary, for medical gentlemen to make a note?—When surgeons are called upon by the friends of any person to examine a body after death, for the satisfaction of the friends who employ them, we make a statement and give to those friends, but I am not aware of that being done under any other circumstances.

Not in public institutions?—No; unless the medical gentlemen are making notes for publication.

Were those bodies opened previous or subsequently to the inquests?—Always subsequently to the inquest.

The verdict of the jury had been returned?—Yes.

You opened the bodies of course with a medical view?—Just so, and with the sanction of the committee for so doing.

Did you make any report to the committee of the symptoms?—The circumstance of those blotches being found in the alimentary canal of two individuals, is mentioned in the Report of the two physicians to the committee of the Penitentiary, and subsequently laid upon the table of the House of Commons.

Were the appearances such, as justified your previous notion of the nature of the disease, or not?—I mentioned, (and I hope what I am about to say, will not be considered as detracting in the smallest degree from the merits of the gentlemen that were called in); I mentioned, I say, to Dr. Roget, previous to the examination of either of those two bodies, that I was quite sure when they came to be examined, the same appearances would be exhibited on the villous coat of the intestine, as existed on the lower extremities of the convicts labouring under scurvy; and after the examination had taken place, I asked Dr. Roget, when those appearances were exposed by dissection, whether he recollected what I stated to him the previous day; he said, *perfectly*; and I noticed it because it was a thing I had seen occur in seamen, who had died of that disease.

Of what disease?—Scorbutic dysentery.

Brought on by what?—By the causes to which we have already ascribed the disease.

Were you not in the habit of keeping a journal of your observations upon the complaints and diseases and the disorders of prisoners, when you visited them in the Penitentiary?—No, I cannot say that I was; I had a little memorandum book with me, in which I used to mark down the individuals, whom I thought it right to send below into the prison from the infirmary, and such as I found it right to remove to the infirmary from the prison; when I performed my monthly inspections, and I desired the surgeon to keep accurate accounts of every circumstance, I desired him to give me at different times the state of the heat in the different pentagons in the severity of the winter, also to keep a watchful eye over the appearance of bowel affections among the prisoners, after the establishment of the late dietary, thinking

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that the bowels were more likely to be affected, on account of this fluid dietary, than if they had had solid meat, and he gave me a regular account monthly, of the number of cases of diarrhœa that did occur.

Were any of the officers of the prison affected with the diarrhœa from the time of its first appearance till you left the prison?—Not to my knowledge.

None of the turnkeys?—No, I believe not.

Were any of the attendants, any of those who, being convicts, are allowed to attend in the kitchen, and were allowed to go in and out, affected?—They were not, and in effect I may mention, not any of the wardsmen as they are called, who are employed in the infirmaries, were, during the period I was in the institution, attacked with bowel affections; these wardsmen were constantly in the habit of preserving the evacuations of the diseased patients, for the inspection of the officers, therefore I conceive if there had been any thing infectious in the disease, those were the men who would have been most liable to receive that infection.

It has appeared to the Committee, on visiting this prison, that several of the prisoners who are affected with this disease, were taken with the complaint, one in eight days, and several within a very short period of time; a great many within two and three months of their coming into the prison; how do you reconcile that with your opinion that this disorder is not infectious?—In my former evidence I stated, and I think I was the first to state the fact, that it is a very common thing for bowel affections to take place among a community of persons, in case of a sudden transition from one diet to another, particularly from a low diet to a higher one, and *vice versa*.

Those were persons who had not been in the prison many days, and many of them may have come from other prisons, where the diet is not even so high as that which they received when they were first brought into the Penitentiary?—Although the diet of a prisoner so admitted into the Penitentiary, and so attacked within a few days, may not have been higher or lower, but precisely the same as to quantity as that which he gets in the Penitentiary when he comes there; there may have been a difference in the *quality* of that diet, he may have had that in solid which he now has in fluid.

How do you account for the officers of the prison who are living upon the same diet, upon which they had always lived being affected?—They were not affected while I was there.

Three or four of the turnkeys have been affected with this complaint, and their diet has not been changed; how do you account for the distemper they have had?—It is impossible to account for every single instance, but three or four, or half a dozen instances are not sufficient to establish the fact, that there is any thing contagious in this disease.

Does that induce you to hesitate or doubt about it?—I should still doubt whether there be any thing contagious in it.

You are not positive, but you doubt?—I doubt; I think that the disease is not contagious, that is the impression upon my mind, quite distinctly so; three or four instances are not sufficient to bear a man out in the belief that it is.

Do you recollect the case of Ann Martin, who died in the prison on the 20th of April 1823?—She died the day subsequently to my dismissal.

Do you recollect the committee of the Penitentiary applying to you for the circumstances of Ann Martin's case?—I do.

Do you recollect writing an answer to that application?—I do.

You are aware that in that answer you declined giving any account to the committee until such time as you should know who the members of the committee were who were present at the time of your dismissal?—Precisely so; that was my answer; and as I had other very pressing engagements to attend to, I conceived that the then medical officers of the institution were those who ought to have been more properly applied to upon that subject than me.

Do you recollect writing a letter, addressed to the Editor of the British Press, dated 7, Spring Gardens, April 27, 1823?—On what subject?

On that subject?—Yes, I do, perfectly; and with the leave of the Committee I will mention why I wrote that letter; it is the only letter but one that I ever published in a newspaper in my life, and that was a canvassing letter for the Westminster General Dispensary; I beg to take this opportunity of stating, that I never was, directly nor indirectly, privy to the insertion of any paragraph in any newspaper connected with this, or any other transaction, in the whole course of my life.

Supposing such an application were now made to you, and supposing you considered

sidered it was of importance to the knowledge of the facts that were inquired into, that you should furnish some report, do you, on re-considering the case, think you would still withhold the information the committee required, merely on account of that personal feeling which you have stated?—It is impossible for me distinctly to answer this question, because the Committee must allow that a person will do a thing at one time that he would not certainly do at another, he must act on the impulse of the moment; but I will state to the Committee why I addressed that letter to the public, through the medium of a newspaper.

Is that the letter to which you allude? [*a letter being shewn to the witness.*]—This is the letter that I wrote. To the same letter I put a postscript afterwards, with which it appeared a day later in ‘The Times’ newspaper, to desire that the public would suspend their opinion on the subject of that case, as it was likely to undergo investigation.

[*The letter was read, as follows:*]

“The late Inquest in the Penitentiary:—To the Editor of
‘The British Press.’

“Sir, 7, Spring-gardens, April 27, 1823.

“Although the main scope and great utility of your labours have public objects chiefly in view, you do not occasionally disdain to set the public right with regard to injured individuals, particularly when their character is undeservedly and untruly aspersed. In the narrative of the coroner’s inquest regarding Ann Martin, last week, in the Penitentiary, it was stated, that her death had been caused by scanty nourishment; that she had not been visited for some days by any medical man, although very ill in the prison, but that the surgeon sent her a powder three different times.

“Now, Sir, in consequence of a gross misapprehension, it is I, who have been understood by a great portion of the public as the adviser of the diet, and that I was the medical man alluded to, which may seriously affect my professional character.

“Both imputations are totally unfounded; for the scheme of diet therein adverted to was one of which I disapproved, and was adopted contrary to my opinion and advice. And with regard to the medical treatment, I had not, at the period of her death, any medical charge in the institution; and the person alluded to, as being written to, and having sent the powders to the poor woman, was the resident surgeon; my situation, when I belonged to the establishment, being that of medical superintendent.

“I am, Sir, your obedient humble servant,
“A. Copland Hutchison.”

Dr. Hutchison.—I received a note (which I will lay before the Committee at their next meeting) on the Sunday morning, from a very dear friend, telling me, “For God’s sake, do something instantly; for the tide of public opinion is all against you.” I ask any gentleman on this Committee, whether he would, under this impression, have done less than I did upon that occasion?

Do you think that the answering the committee, and giving the information requisite, would have had any effect in injuring you in public opinion; do not you think that, on the contrary, the fact of your having answered would be in your favour?—Perhaps it might have been better for me if I had done so; but I must say, my feelings were at that time extremely acute.

Did not all the charges, whatever they were, whether true or false, that were brought against the Institution, in respect of the usage of this person, relate to the period anterior to your ceasing to be the medical superintendent; the charges in the newspapers, to which that letter was an answer?—Yes; but the Committee will understand, that, for the last month previous to my removal, not a single prescription of mine for that woman was made up by the surgeon; they were refused to be made up.

Do you mean, that they were refused for a month before you left the prison?—They were; they were refused to be made up before my letter to the Committee of the 8th April.

By whom were they refused to be made up?—By the surgeon.

Did not some of those charges relate to a period of three months back?—I did not go into the statement accompanying the note; I felt so much hurt at the treatment I had experienced, that I did not give myself a great deal of trouble about

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it, as I conceived the gentlemen then in charge were those more immediately to be appealed to.

Do you know whether the powders you allude to were or were not given?—I cannot say.

Do you think, according to the practice of the prison, they could have been given in that way?—It has been by no means an unusual thing for medicines to be sent down to the prison for convicts.

Is there any instance of medicines having been given to the convicts without their having been seen by yourself or the surgeon?—I cannot say whether they were or were not by the resident surgeon.

Do you know what was the practice as to visiting patients in the prison?—That they were visited when the surgeon was sent for invariably, I believe.

Do you believe the surgeon went round daily?—Whether he went round the whole of the pentagons, I cannot pretend to say; but I believe as it respects the surgeon's attentions to the sick, as far as attention would go, he did it to the best of his ability.

As you were three years and a half medical superintendent of the prison, do you not know whether it was the practice of the surgeon to give any medicine without seeing the prisoners previously?—I do not think he would do so generally, but he might in a particular instance or two; I cannot charge my memory with any one instance of his ever having done so, but it is impossible for me to say he never did so.

How do you know that your prescriptions were refused to be made up?—It was about three weeks I think as nearly as I can recollect, or may be a few days more after the appointment of Doctors Roget and Latham that I discovered it.

Were you at that time the medical superintendent of the prison?—I was.

Were those prescriptions drawn up by you, without consultation with Doctor Roget and Doctor Latham?—Those gentlemen had not been desired to consult with me; and this was a surgical case, the case of Ann Martin, a sort of case they never interfered with.

You have stated that for some time before you quitted the prison, your prescriptions had been refused to be made up?—I have.

How do you know that they were refused?—The surgeon, Mr. Pratt, told me that he could not comply with my wishes; on my asking him why, he said he must see what Doctor Roget, Doctor Latham, or Mr. White, would say to it when they were present.

Was there more than one conversation upon that subject?—Three or four.

Was it a refusal to make up your prescriptions generally, or only to give lemon juice?—It was to make up the prescriptions generally. With respect to this poor woman, Martin, they were giving her brandy, and she wished to have wine, and I requested wine to be given to her directly; he said, "I cannot do it, Mr. White is attending, and I do not know what to do; I have Mr. White attending on the one hand, and two physicians on the other." I asked him whether he had received directions not to comply with my wishes; he hesitated, and then said "no."

After the time that Doctor Roget and Doctor Latham and Mr. White were introduced into the prison, were you in the habit or were they in the habit of prescribing or ordering medicine for the prisoners separately, or did you do it in consultation with each other?—Sometimes in consultation with each other, and sometimes separately; I would go to a patient and prescribe, and say, "I have done so and so;" and I would go to prisoners they were visiting, and so we would unite our opinions.

Do you mean to say, that for a month previously to your leaving the Penitentiary, you had been in the habit of writing prescriptions, that were not attended to?—Yes, I had been in the habit of prescribing for individuals, that the surgeon would not make up the medicines for.

What could induce you to continue drawing up prescriptions, which from experience you knew were not attended to?—It was my anxious wish to ascertain what was the cause of all those objections on the part of the surgeon; I wished to ascertain whether it was of his own accord, or whether from any special directions he had received from the committee, or any particular member of the committee, or from the physicians, or consulting surgeon, or from whom the thing emanated.

As far as you can recollect, what number of prescriptions do you think you drew up which were so unattended to?—There were no written prescriptions, there were so many sick, the surgeon went round with a sheet of paper, and I said, "you had

had better give this man wine instead of brandy; you had better give this mixture or that, and so on."

Occasionally prescriptions were drawn on paper probably?—Not unless on particular occasions.

You mean to say, that in the whole course of that month, no one of your recommendations was attended to?—I cannot say that; I can only say that the surgeon in those cases told me what I have already stated.

Mr. White having been called in as a consulting surgeon, would it have been professional in Mr. Pratt to have taken your directions without consulting him?—The consulting surgeon was called in unknown to me; if his services had been at any time required, I am quite sure he would have gone very willingly.

Was it not a surgical case?—It was.

Your impression is, that although you cannot positively say that no recommendation of your's was attended to, you think, that generally speaking, your recommendations were not followed?—I only know that the surgeon said he could not do it, he would consult those gentlemen.

Did not the conversation arise, in consequence of your saying you would give lemon juice, which those gentlemen did not allow?—That could not apply to this woman, for she did not take lemon juice.

The question refers to the first conversation upon this subject?—It is impossible for me to fix precise dates, but I know that he declined complying with my desire to make medicines for various patients; I asked him whether he had received instructions to that effect, and he hesitated in such a manner, as to leave an impression upon my mind, that he had received instructions to that effect.

Did you consider yourself justified in going round and prescribing for the prisoners singly, after Dr. Latham, Dr. Roget, and Mr. White had been professionally called in?—The fact is, that as the principal medical superintendent of that institution, I do not think that my services there ought to have been superseded in the way they were; I went there frequently, I tried to fix a period with those gentlemen to meet, and on one occasion I said to one of them, "I wish you " would fix a period to-morrow:" "No, I cannot, indeed, it would be very inconvenient:" I replied, "my inconvenience would be as great as your's." When a period was fixed, they did not come so regularly to the period as I did; and my time was as valuable to me as their's to them; I went therefore round the wards, and if those gentlemen had found that the medicines prescribed were not such as met their approbation, it was for them then to make any alteration they chose.

Do you conceive that considerable mischief resulted from your prescriptions not having been attended to?—That I cannot speak to decisively.

What were the points of difference in the medical treatment of the patients, between you and Doctors Roget and Latham?—The only difference of any consequence that was made, was a combination of mercury with chalk, for what we call the chalk mixture, with aromatic confection and opium; the affection of the bowels (when the patients were under the lemon juice, the chalk mixture and other articles just stated,) was not increased with the lemon juice. But I observed, and am pretty sure it will turn out to be the case, that bowel affections increasing afterwards, might, in a great measure, be considered as owing to the acid disagreeing with the bowels, from the presence of mercury, for every body knows, I believe, that all vegetable acids are interdicted when a person is taking mercury, on account of the griping pain they produce.

From your experience of the scorbutic diarrhœa, which is conceived to be the disease in the Penitentiary to which the Committee are referring, is the giving of mercury a practice which you have seen followed with success?—Never.

In point of fact, is it not professionally considered as an experiment that has been tried, and has been abandoned from its almost universal failure?—It is.

You think that had your mode of treatment been followed, the result might have been different?—I do, and I addressed a letter to the two physicians on that account, the eighth day after they came into the institution.

You think that the disease would have been counteracted much more than it was?—That is my opinion, from the result of my practice and experience, but I wish by no means, by what I say, to impugn the practice of those gentlemen.

Do you know, in the cases you have mentioned, of your prescription not having been attended to, that a medicine contrary to your prescription has been given in any case?—It is impossible for me to answer that question, since the surgeon denied me the favour to comply with my requests.

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Did you ever communicate to the committee, that Mr. Pratt had refused to obey your directions?—No, I did not.

Were you aware for a month previous to the 8th of April, that your services would be dispensed with?—No, I was not aware that they would be dispensed with till I received the letter from the committee.

Then the Committee are to understand, that you are not sure that your prescriptions were not attended to, but that they were not attended to till Mr. White's opinion had been given upon them?—All I have stated is, that the surgeon told me he could not give the medicine or wine to the individual persons I prescribed them for; and whether it was not attended to, or was attended to, it is impossible for me to say.

Did he not state to you, that he could not give the wine until Mr. White had been spoken to?—He gave that as a reason, "What am I to do, I have got Mr. White on the one hand, and Doctor Roget and Doctor Latham on the other."

Did he state, that he could not follow your prescription, or did he say to you, I cannot give the wine until I have spoken to the other medical gentlemen?—I think the latter was the fact, that he said, he must see those gentlemen.

Is it stated in the report in the newspaper, which you thought fit to contradict, that Ann Martin was removed from the infirmary to her cell; is that fact?—Very luckily, I have got my memorandum book, which I particularly kept for the purpose of marking all removals from the infirmary, and to the infirmary; her name is not there, but S. Martin, meaning Sarah Martin, her sister is there, as having been sent down by me on some day in January, but not Ann Martin.

That is to say, that the woman who died was in the infirmary, and not removed to her cell by you, but that her sister was sent to her cell from the infirmary?—She was by me; in fact, I never sent a single individual down to the cell from the infirmary, for the last twelvemonths, without making them distinctly understand, that they were not to go if they did not feel themselves competent to go through their work; and if they did not feel perfectly well, I have said, "Now be sure you are well able to do your work." "Yes sir, I am sure I am, I am much obliged to you."

Were not the prisoners in the infirmary better pleased to stay there, than in their cells; would they not from choice remain a good while in the infirmary?—Yes.

There is more society, more indulgence there?—Yes.

George P. Holford, Esq. a Member of the Committee; further Examined.

G. P. Holford,
Esq.

WITH reference to the present medical treatment in the infirmary, Doctor Hutchison has stated his objections to be very serious to the mercurial treatment; do you happen to know whether the mercurial treatment is still persevered in at the Penitentiary?—I believe it is; and I conceive it had been doing good, but I am no judge of that; the communications I have received from the gentlemen now in attendance is, that it is pursued, and that it is efficacious.

Alexander C. Hutchison, M. D. was further Examined.

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YOU have heard that the mercurial treatment is still pursued in the Penitentiary; do you consider that treatment to be injurious to the nature of the disease at present existing there?—I shall answer the question, by stating, can it be doing good, when it so happens that three or four hundred persons still labour under the disease, after the lapse of three or four months, during which those gentlemen have been acting there; and, on the other hand, the diarrhoea which now exists may not be the same, it may have changed its character, in which case, the medicine in question may be very necessary.

George P. Holford, Esq. was further Examined.

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YOU have stated, that in your opinion, the complaint which has prevailed in the Penitentiary is contagious; will you have the goodness to state to the Committee, on what you ground that belief?—My belief is, that it is contagious or infectious, from the number of new cases, which cannot be referred to the old diet, which have occurred in cases of prisoners coming in within a very short time indeed, since the whole dietary was altered by the present medical gentleman.

Are the new cases of diarrhoea of the same nature, and marked with the same distinctive character as the old disease?—I am not competent to speak to that subject, but I rather think not.

How

How many persons have been infected with this disease, either in its former character or present character, subsequent to the change of diet?—I cannot answer that question; but I believe Doctors Roget or Latham are prepared to answer that; three or four officers have contracted the disease who are in the same part of the prison as those prisoners, and have used the same privy, and that is one of the circumstances which leads me to conceive it infectious.

Are the prisoners in a convalescent state, or do you consider the disease still raging?—From the conversation I have had with the medical gentlemen, I believe the disease is assuming a milder character, though the patients are increased in number, that is owing rather to their being kept in the infirmary by way of caution.

Alexander C. Hutchison, M. D. further Examined.

IS it your opinion only, or is it a point very much contested among medical men, whether the mercurial treatment is a proper treatment in the scorbutic diarrhœa?—Among medical men, who have had most experience in the treatment of scurvy, it is a practice that is never pursued. I should conceive it was abandoned on account of its injurious consequences; and I may also remark, that it has not been found in my practice, nor in the practice of others of greater experience than myself in the treatment of scurvy, and who have given their evidence to this Committee, that the bowel affection was increased in consequence of administering the lemon juice; on the contrary, that it has had very beneficial effects, when combined with opium, in the manner I have already mentioned.

Would not mercury, administered without lemon juice, be a proper mode of treatment?—Certainly not.

Do you conceive the mercury has been used with lemon juice?—I know it; it was given with lemon juice, in some cases, in the infirmary when I was there.

Have you prescribed mercury for any of the prisoners?—Never for the scurvy.

For the diarrhœa?—For the common diarrhœa, perhaps we may give common preparations of mercury, but merely as a purgative; and sometimes small doses of the mercury and chalk may be given with advantage in common diarrhœa.

Is it a proper course of treatment to administer mercury to such an extent as to affect the bowels, in either scurvy or diarrhœa?—Certainly not; not as far as my reading, practice and information go; it is done sometimes, but it is not a practice that is recommended; in cases of what we call chronic diarrhœa, perhaps small doses of mercury may be useful in changing the nature of the secretions; but it is not a remedy we trust to.

But not to the extent of affecting the mouth?—Certainly not.

Mercury, of course, is a medicine of so potent a nature, that when it does not do good, it must do harm in the treatment of any disease?—That will greatly depend upon the quantity exhibited.

Being exhibited in the quantity you believe it to have been in the Penitentiary?—I should suppose the chances are, that it would be injurious. I can assure the Committee, it is with great pain I am obliged thus to speak as I have done; but I have said no more than I conceive necessary.

You conceive mercury to be an improper medicine?—Certainly, in scorbutic diarrhœa; it is given in common diarrhœa sometimes with advantage.

Is it your opinion it is given with advantage to the extent of affecting the mouth?—I think that is carrying it rather too far.

Of the medical gentlemen of reputation practising in London, what gentlemen should you mention who you think would be likely to give a satisfactory answer with respect to the point now under consideration?—The Committee know as well as I do who are the men of eminence in the medical profession; and the question has been answered by every medical man who has been examined by this Committee, that mercury is injurious.

Has this subject of treating the scorbutic diarrhœa by mercury, been a topic of controversy among the medical gentlemen?—No, I am not aware that it has.

You consider it a decided point?—Yes; I am quite sure that the gentlemen who have been examined, or any other the Committee might think fit to call on the subject of giving mercury in scorbutic diarrhœa, would say that it is not a practice to be followed.

It is frequently given in common diarrhœa?—Not often, the common practice is to give the chalk mixture with aromatic confection and a few drops of laudanum,

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every three or four hours after giving a saline purge, and this generally carries off the disease.

The Reverend Archdeacon Pott, called in; and Examined.

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HOW long have you been a member of the committee of the Penitentiary?—From its first establishment.

Did you attend the committee during any part of last summer?—During the greater part I was absent from the committee from severe indisposition, which occasioned my going to Hastings until the beginning of June; I was there from the end of January to the beginning of June; and from the first week in June to the present time, I have been uniform and constant in my attendance.

You attended the committee before the new dietary was established?—Long before the new dietary was established.

Was your attention directed, after the new dietary was established, to the health of the prisoners?—Most constantly; it was the subject of most anxious inquiry whenever we met.

Was your attention particularly directed to their appearance after the dietary had been some time in operation?—Undoubtedly it was, in a material degree; because it was represented to us from time to time by the matron, that she thought their appearance was changed for the worse.

Did you from your personal inspection form the same opinion?—I own I was governed principally by what the matron stated upon that subject; because I had not been visitor within that time, and therefore had not frequent opportunities of making personal observation.

Did you communicate with either of the medical officers of the establishment upon that subject?—In two instances; I recollect very particularly that a communication was made in one in consequence of a letter written by Mr. Pratt, in which he stated his apprehensions upon the subject, that he thought the strength of the convicts was gradually diminished, and in consequence of that they would not be able to continue the labour; that they became palid, that their appearance was changed, that of course excited very great apprehensions in our minds, particularly in the minds of one or two of the committee, of whom I was one; we did entertain apprehensions of that nature, and that induced us to look very anxiously to Doctor Hutchison's opinion on the subject, when that letter was addressed by Mr. Pratt; and on another occasion, when the gruel was substituted for the soup, he did attend.

Do you recollect the date of that letter of Mr. Pratt's?—I think it was the 21st of September, or thereabouts.

Was Doctor Hutchison examined by the committee, between September and Christmas, relative to the state of health of the prisoners?—Whenever Doctor Hutchison was present during the sitting of the committee, and whenever he attended, it was the subject of inquiry, whether he thought the diet was operating unfavourably to the health of the prisoners.

What answer did Doctor Hutchison give to those questions?—Certainly never any that ever led us to conceive, that he thought it was operating unfavourably, for if there had been any such answer as that, it would have induced us to take other measures, for we had very strong apprehensions on the subject ourselves. During the summer the committee was but slenderly attended; had any of those gentlemen been certain that it was the opinion of Doctor Hutchison, for whose abilities we entertained a high esteem, and to whose judgment we deferred, other measures I conceive would have been taken; but we certainly never got that opinion from Doctor Hutchison.

Did you communicate with Mr. Pratt upon the subject?—Frequently.

Did you communicate with the matron upon the subject?—Frequently.

With the work-master?—I do not recollect ever asking any question relative to the health of the parties, but of the matron and surgeon.

Did they, during the whole of that period, concur in thinking that the dietary was too low for the health of the prisoners?—After it had had some trial, certainly they thought so; and stated that as their opinion, uniformly.

In fact, was not the matron against the dietary from the commencement?—I think she was, undoubtedly.

Were not in general the opinions of the officers of the establishment against the dietary?—I really hardly know on what they might ground that; of course they were

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were aware it would create great dissatisfaction, and from no other reason than that, they might be a little averse to it; whether they had other apprehensions about it I cannot pretend to say; upon the whole it was not a popular thing; the officers of the establishment conceived it would create discontent in a very high degree.

Did the prisoners make complaints to you of feeling the want of sufficient food?—I never was visitor during any of those months, from June to September; I had no opportunity of learning from them any such remarks, but heard them as stated to the committee, from time to time; the members of the committee are not so much in the habit of going round as the visitor; the visitor, during the month, makes personal inspections, and the result is brought before the committee for their examination, then we heard of dissatisfaction abundantly, no doubt.

It has been stated, that the opinion of the matron was adverse to this dietary from the beginning; is not the matron a person who, whatever her own opinion might be with regard to the orders of the committee, would carry them punctually into effect, and whose integrity is such, that it might be relied upon accurately in any statement she might make?—I confess her opinion weighed so much with me, that it led me to entertain pretty much the opinion she gave; I conceive her to be a woman of very good judgment, of kind and tender feelings towards the convicts, which might give a little bias to her sentiment, but she stated it so uniformly and so steadily, that I confess it had great weight with me, and made me very anxious about it.

Did she give you any particulars on which her opinion was founded?—We often asked her that, and she said, “I see their strength decay and their colour change, “and I am sure they are sinking in health.”

Did she ever mention the circumstance of any of them not being able to eat the soup, their stomachs rejecting it?—Yes; and it was in consequence of that, that the gruel was substituted; they could not take soup the last thing in the day that was given, and the gruel was substituted; we wished the alteration to have gone further, but Doctor Hutchison’s answer was, “it must be tried for a year or two years before “it can be ascertained at all,” and he never said any thing to lead us to think it was in his opinion operating injuriously.

Did you understand from Doctor Hutchison, that it was his private opinion, or that as an officer of the institution, he felt himself bound to comply with the directions which he had received from the committee, as doctor?—I had not the least idea that that impression was ever upon his mind; I was not aware that he did ever object to the change of diet; I was absent at the time it took place, and therefore it was certainly a matter very astonishing to me, when he stated, that he had uniformly objected, he never said any thing of the kind to us.

Do you not think, that that conduct on his part, might have proceeded from a wish to comply with the instructions he had received, to give this experiment a fair trial, and supporting at the same time, his own private opinion upon the subject?—It is possible, but it never entered into my mind, that that was the state of the case.

Do you not think, as medical superintendent, Dr. Hutchison was not to wait for instructions from others; but, if he saw any deterioration in the health of the convicts, was himself to originate any hints for the alteration?—I felt so fully convinced of that, that it was the only thing that satisfied me in going away, time after time, without making an alteration.

Are you aware that Sir James M^c Grigor visited the establishment in the middle of February, and, speaking as to that time, has given it as his opinion, that the prisoners were in good health, and that the dietary had nothing to do with the state of the disease?—I remember that perfectly.

Were not the number of sick in the infirmary, on the day on which Sir James M^c Grigor visited, unusually small, as compared with either the preceding or the subsequent period?—That my recollection does not reach to.

How soon, after the change of diet took place, did the matron mention to you a falling off of the health of the prisoners?—I cannot exactly say how soon; but from the 7th of June, which I think was the first day of my attending after my return from the country, whenever we saw her she gave the same answer uniformly.

Did you mention to Dr. Hutchison the report made to you or the committee, from time to time, by the matron, of the reduced state of health of the prisoners?—I do not recollect that that was particularly put to him; we looked to him for his own judgment in the case.

Did that, at any time, pass in conversation between you and Dr. Hutchison?—I apprehend Dr. Hutchison himself was aware that the matron entertained that

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persuasion; I conceive Dr. Hutchison must have known that; but I cannot pretend to say that for certain, because it was a thing well known to us all, that it was her opinion.

Was that the impression of any of the other officers of the prison, besides the matron?—That I cannot well say; for the persons we communicated with, whom we thought most competent to give us good information, were principally Dr. Hutchison, to whom we deferred upon all such occasions; and then the matron, the surgeon, and the chaplain; those were the persons we were most in the habit of conferring with at the board; the other officers are not called before us, except on any thing occurring in their particular department.

Did you observe any dejection of spirits in the prisoners, after the change of diet?—I wish I could answer that more distinctly, but I cannot; not having been visitor during those months, I did not see much of them.

Did the matron state to you, that there was to her a great appearance of dejection of spirits?—She stated, that she thought their countenances were altered, their looks were changed, and their bodily strength impaired.

Have you been in the habit of visiting other prisons?—Never.

You cannot form any opinion as to the state of the spirits of the prisoners in this as compared with other gaols?—No.

Have you regularly attended the meetings of the committee, since the month of June last?—I think with very few exceptions.

Is it not a part of the duty of the visiting committee to see the prisoners?—There is a visitor who makes his report, and from his report, the committee, who sit, form their own opinions.

The committee of management, in point of fact, do not see the prisoners themselves?—It is no part of the business of the committee to do that; it is the express business of the visitor.

A report is made by the visitor to the committee of management?—His book is constantly called for, and read, with all his remarks for the week preceding.

Who happened to be the visitor from the month of June to the month of January?—It was not confined to one; Mr. Courtenay was visitor for the major part of the time, I think.

Who since the month of January to the present time?—I rather think that Mr. Courtenay has been very much in the habit of being our visitor for some time past.

How long does a visitor continue in office?—Sometimes he is continued on from month to month; there is no fixed rule on the subject.

He is appointed by the committee of management?—He is.

For what period generally, or for no specific period?—He is appointed for as long as may be convenient to him, till he quits town, or it becomes from some cause inconvenient; it is sometimes put to a gentleman, "Is it convenient to you take it for the next month."

Did the gentleman who was the visitor at the early period of the visiting, or afterwards, make any special report, or give any opinion, as to the cause of that sickness; did he give any information that led the committee to form an opinion that the cause assigned for the change of appearance was not correct?—No, I do not recollect that he did.

You state that the managing committee reposed such confidence in Dr. Hutchison, that it was in consequence of his silence as to the cause of the disease, that they did not make any remarks on the change of dietary, as being that cause?—Whatever apprehensions we entertained in our own mind, we did not feel ourselves justified in making any change as to the dietary, which public opinion seemed to have called for, particularly as we were but a slender committee; we wished to have strong grounds for a change; had such grounds occurred, the representation of the physician would probably have produced a change more suddenly and immediately than it took place.

It was in consequence of the managing committee being so slenderly filled at that period, that they did not feel themselves justified in making a change in measures, though their general feeling was, such change might be advantageous to the prisoners?—I cannot say that we fully entertained such an opinion; we looked to our principal medical adviser, we did not know how far the opinions of the superintendents might have been changed by the discontent excited upon the subject; we looked to our medical adviser to influence our opinion, at the same time there was nothing

nothing to the extent which has since occurred ; at that time, whether it was a large committee or a small one we must have made a change, if it had gone to that extent at that time.

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Had the managing Committee been composed of a greater number of members, it is probable that some inquiry, notwithstanding the silence of Dr. Hutchison, might have been made?—I will not pretend to say, that the alarm at that moment was not excited in any very high degree; it was a fear that attached to some of us more than others. I do not know how far our chairman participated in it; I had that fear which I had imbibed from the accounts the matron had given, thinking she was so good a judge from her constant observation; but there was nothing alarming in her account, only that she saw a change for the worse.

When did you first know that Dr. Hutchison was against the change of dietary?—I did not know till the other day that he was against it; I mean within these few weeks.

Did you know it by having seen any thing written in the public papers, or from what you heard from Dr. Hutchison?—I knew it from what was passing, and from his published letter.

Did you consult Mr. Pratt, the surgeon?—Yes.

What was the opinion of Mr. Pratt?—His opinion certainly was, that the diet was operating injuriously.

When was that opinion taken?—He gave that opinion by letter, the 21st of September, or somewhere near to that date; at that time there were but few cases; I think Dr. Hutchison, also by letter, stated that there were but a few cases of common diarrhœa, nothing very alarming; in short, the report made upon it by the physician tended to quiet our apprehensions, and certainly to set aside the representations Mr. Pratt had made.

Was that opinion of Mr. Pratt communicated by the committee to Dr. Hutchison?—He was examined upon it, in consequence of receiving the letter, Dr. Hutchison was called for, and attended that committee.

The visitor of the prison himself inspected the wards, and saw the prisoners?—Yes.

And reported?—Yes; but I believe the notion of scurvy did not prevail until very late; until Dr. Roget and Dr. Latham found that great numbers were affected by it, no such suspicion had been entertained previous to that.

There had been a case of scurvy prior to the admission of Dr. Latham and Dr. Roget as physicians, had there not?—We had no idea that it prevailed to that extent.

Did the committee communicate to Dr. Hutchison the remarks which were made by the matron and the task-master, with respect to an alteration in the appearance of the prisoners?—He attended us in the committee at that time, and his answers certainly did not go to confirm Mr. Pratt's opinion.

The question referred to the communication of the opinion of the matron and the task-master; you say that you are not aware whether that was communicated, but that you think he must have known it; did the matron frequently communicate with the committee?—Frequently.

Did Mr. Bennett, the chaplain, ever communicate to you his opinions on the subject of the dietary?—Certainly he did in several instances, generally.

What were those opinions?—He did not view it in a favourable light, certainly.

Did he tell you what were his observations on the prisoners looks since they had been under him?—He only stated, in general, what his fears were respecting it; that he thought the diet might be sufficient, but he entertained great apprehensions; and we certainly thought the extreme dissatisfaction it would produce, had weighed a little with him.

Have you long known Mr. Bennett, the chaplain?—Ever since the establishment was formed; I had not the pleasure of knowing him previously to that.

What is your opinion as to the manner in which he executes the duties of that station?—I am very glad to be asked that question; I think he executes them in a manner entitling him to the public esteem, and that of every member of that institution in particular; his attentions are such as to have merited the approbation of all those who have witnessed what they were.

Have you ever seen him in company with the prisoners?—Frequently; I have been round with him when I have been visitor.

Have you ever made any observation as to the manner in which he has been received by the prisoners?—In a manner the most cordial possible, with the greatest appearance of respect and regard for him.

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Have you ever made any observation as to the manner in which the matron has been received by the females over whom she has charge?—I should think the same answer might apply to her; her attentions to them are such I am sure as to entitle her to the regard and confidence of the prisoners.

Are the Committee to understand that the committee of the Penitentiary act merely from gratuitous motives towards the public?—Certainly.

Do they, for their own convenience, delegate their authority to the person who is visitor for a month or six weeks, just as it may be convenient to the party to attend the Penitentiary?—There is always an appointed visitor, whose duty more immediately it may be to inspect the prison.

They do not do it by rotation, but take it according to convenience, and volunteer in order to relieve one another?—Yes.

When a visitor performs his office, does he go round daily or weekly, or how often does he go round the prison?—It is left very much to himself, and will depend very much on the time he may have at his command.

He keeps no stated time?—No; the best part of the day has been spent sometimes by gentlemen who have been visiting; Mr. Mellish has staid very often till eleven o'clock at night.

Their visit extends itself to every part of the prison, to its cleanliness, its order, its discipline, and all the arrangements connected with the due order, obedience, and well being of an establishment of that extensive nature?—Most certainly.

Are the Committee to understand, that the visitor has any thing to do with the medical appearance of any party at all; supposing that a female penitent, or a male penitent, was to state to the visitor that they were exceedingly ill, could he perform any one of those functions which a medical attendant has to perform, and would he not immediately send for the medical attendant in case of complaint?—Certainly he would.

He would have nothing to do with looking at any part of their bodies to see whether they had sea scurvy, or land scurvy, or fever, that is no part of his duty?—I should think not; he looks generally to every thing worthy of observation, and reports accordingly; there is no particularity which does not lie within the compass and scope of his report; he is to attend to every thing which comes under his observation during his visit.

A visitor, whether on a board day or otherwise, would naturally report, if he heard from any patient or any number of patients, that they were seriously indisposed, and they would call in the medical superintendent, whether Dr. Hutchison or Mr. Pratt, to report why he had not reported those very cases the visitor himself had heard?—I conceive they would consider that as their duty, if any thing of that kind occurred; it was not till the actual inspection took place under the eye and management of two physicians who had been recently called in, that we were aware that this disease existed; for so late as the time I alluded to, when the change was made to the gruel, the answer was, that there were only persons ill of common diarrhoeas, only two persons considered as dangerous, and those old disorders.

You have spoken of the conduct of the chaplain and the matron; what was the conduct of Dr. Hutchison towards the patients?—I am happy to have that question put to me; I never for a moment doubted that he paid the best attention in his power, and that the attention of a man thoroughly competent to discharge the duties of his office; we had the highest opinion of Dr. Hutchison.

Did you ever observe how he was received by the patients?—I never was with him in any one instance.

You, as one of the committee, were perfectly satisfied with his general conduct and treatment of the patients?—I never heard any thing to the contrary.

Did you ever hear of any want of kindness or want of attention to any of the patients?—Generally, I may say, I certainly did not.

There was no serious alarm entertained in the minds of the committee, in regard to the appearance of the males until after Christmas?—Certainly not, until after Christmas.

Is it at the option of the visitor to go round as often or as seldom, and at what time he pleases, or are there a stated number of times he must visit during any certain period?—It is left to him to do it at his own convenience.

Does he state to the committee how often he has been round?—He makes a minute of every thing, his book is read every time the committee meets; on the 11th of January, when we met, we were unanimously, in consequence of the representation

sensation then made, induced to change the dietary in a degree; that was on the representation of the matron; previous to that, I do not recollect any serious suggestion of that kind.

That related to the female prisoners?—Yes, that they could not bear the soup.

Was that representation made by the matron to the committee, or through the visitor?—By the matron; the visitor made a report at the same time, he suggested the introduction of a biscuit, and we paused a good deal, whether we would adopt that recommendation or not.

Who was the visitor?—Mr. Courtenay.

You have mentioned the word scurvy; did you ever hear it represented as sea scurvy, as contra-distinguished from any other scurvy?—We never heard much upon that subject, and certainly nothing of the sea scurvy, until that examination had taken place, when the spots were discovered on the legs of the convicts, and that to such an extent; that was the first time I ever heard it represented to be a malady to that degree; we supposed it to be common dysentery; several cases of the same kind I have heard of in other instances; a nephew of mine, a surgeon of some eminence, assures me there are several cases of a similar kind now under his care; it is regarded as not a new species of disease, but certainly something which is not common.

Cases in common life?—One man, who was sent up from the country to the hospital to undergo an operation, but he was found affected with this disorder and died, and he was opened, and the same appearances were discovered which had occurred in the cases in the Penitentiary, the intestines spotted in the same way, precisely.

William Morton Pitt, Esq. a Member of the House, Examined.

HOW long have you been a member of the committee of the Penitentiary?—From the first.

At what time did you give in your resignation as a member of that committee?—In April last.

Were you a regular attendant on that committee?—Very generally, when I was in town.

Were you consulted on the subject of the adoption of the new diet in July last?—Yes, I was.

What opinion did you give upon that subject?—I think it would be but fair for me to say, that I was the original proposer of that dietary, I do not wish to shrink from that responsibility.

Upon what did you rest the recommendation of that dietary?—Upon the practice which had been adopted for fourteen years in the gaol of Dorchester, where I have been a visiting magistrate now nearly forty years.

What was the dietary in the gaol of Dorchester?—A pound and a half of bread, made of the whole produce of the wheat, without taking out any bran at all, water, and a quart of soup, either peas soup or barley broth, according to the convenience of those who provide the provision for the gaol.

Any meat?—There was some meat used in the making of the broth, but none distributed to the prisoners.

Are prisoners confined in Dorchester for long terms?—Seldom for more than two years.

Have you ever found, from experience, any difference in the health of those who were subjected to that diet who were confined for two years, and those for shorter periods?—We found no difference whatever.

Generally speaking, should you say that the health of the prisoners, on their discharge from prison, was better than when they came into it?—It was, and that for the period of fourteen years.

What steps did you take towards carrying that recommendation of your's into effect?—I recommended it originally upon the Dorsetshire practice, and as what had appeared to the magistrates in Dorsetshire to be an exceedingly salubrious diet; perhaps I should mention, that some years ago the flux prevailed very much in our gaol; in the year 1809 this new diet was introduced; in the whole period of time from the year 1809 to the year 1822, those two years inclusive, a period of fourteen years, during which we had 5,498 prisoners in the gaol, we had but three instances of flux; a short time before we introduced that diet, namely, in the year 1804, we had 221 prisoners confined, and 83 on the sick list, and of them 35 instances of flux; in the year 1805 we had 205 prisoners in confinement, 91 on the sick list,

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and 34 instances of flux; we attributed very much to the alteration of diet, the annihilation almost of that complaint.

What was the nature of the diet the prisoners had in Dorchester gaol antecedent to the one you are speaking of?—We began by giving meat to all prisoners who worked; by degrees most of the prisoners were brought into working in one way or another, so that it became almost general to allow them meat.

What quantity of meat?—I do not remember precisely.

Were they allowed to purchase provisions?—No; except those for trial, and debtors.

Any other drink but water?—Those who were employed in the manufacture which was carried on for some years in the prison were allowed some small beer.

What manufacture was that?—A manufacture of hats.

Did you consult the medical officers of the Penitentiary prior to the adoption of the new system of dietary?—I had several times conversations with Mr. Pratt upon the subject, and he was always very decidedly indeed against any alteration whatever; he seemed to consider the diet by no means too good for persons of that description; I also consulted Dr. Hutchison, he admitted that they were rather too well fed, and that some considerable diminution might, with propriety, be introduced, but he always said that he thought some solid meat would be necessary.

Did you state to him the dietary that had subsisted for so many years at Dorchester?—I did.

Did he object to the introduction of a dietary of that kind into the Penitentiary?—He always seemed to object to it.

The Committee are to understand, that the impression upon your mind was and is, that to the new dietary, as adopted by the committee, Dr. Hutchinson always objected?—I believe so.

Had you, in any conversation with him, reason to believe, that prior to its adoption, he had ever changed his original opinion, or that since its adoption he had come round to your's?—I remember urging to him, whether it might not be tried as an experiment, subject to his observation; and suggested whether, in case he found any detriment arise from it, it would not be time enough then to propose to give it up, but I never could induce him absolutely to say, "you may try the experiment with propriety." For my own justification, I wish to add, that I also went to Sir James M'Grigor, the day before he set out for Paris, and had some conversation with him; I stated the Dorsetshire practice to him, the impression upon my mind is, that he made no objection, and that he thought the experiment might be tried; I have not seen Sir James M'Grigor since, and should not therefore wish to state his opinion too decidedly, but observing that he has said nearly the same in his evidence, that puts an end to any delicacy upon this subject, and the impression on my mind is, that Sir James M'Grigor rather approved of the alteration, and if Dr. Hutchison did not express his objections more strongly latterly, I have rather imputed it to an inclination on his part to wait the result, and when he found it detrimental then to renew his objection, but he certainly never gave me reason to think that his objection was removed in any degree.

The Committee have understood you to say that Dr. Hutchison not only never gave his consent to the alteration of the dietary, but that he never gave his assent even to the propriety of admitting it to a trial?—That is my opinion.

As you state that this new dietary was made immediately under your own particular wish, in consequence of the benefits you had seen in Dorchester gaol, were experiments made on a limited scale in the first instance, or did it become the established practice throughout the whole Penitentiary at once?—I believe it was established at once.

Are you to be understood that the committee entirely agreed with you in the propriety of adopting this throughout the prison, and not merely one pentagon, or a certain number of prisoners, at first?—I left London before the alteration took place.

The Committee are to understand, that neither the committee nor individual members of it, made any remonstrance whatever against a trial of your Dorchester dietary, without having first tried it upon a limited scale?—I attended a meeting of the committee on the 24th of May last year, there were eight or nine members present, and all those gentlemen present with one exception, approved of the alteration; a week afterwards, on the 31st of May, I was also at the committee, but for a very short time; I do not believe I was in the room a quarter of an hour, it was just before I left London, I was very much hurried, and I do not recollect the passing of

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of any resolution upon the subject; I understand there was a resolution passed upon that occasion, but I do not recollect being in the room at the time it passed. I considered that it was approved by those members who were then present, but I did not understand that the plan was absolutely adopted and voted. I have since heard, that it appears by the minutes of that day, that there was a question put upon it, and that it stands as adopted; in proof of that impression upon my mind, I mentioned to an honourable member of the Penitentiary committee now present (Mr. Holford), and also to one or two other members, that I hoped as I was going out of town, this matter would be followed up, and would be brought in such shape before the committee as to pass before Parliament separated for the summer; so little did I think it had absolutely passed. I received a letter from I believe two members of the Penitentiary committee, in the month of June, informing me that it was determined upon, and that it would take place early in July.

Had you consulted Dr. Hutchison, before you recommended an alteration of the dietary to the committee?—An alteration in the diet in the Penitentiary had been in agitation, I believe I may say for a twelvemonth, and had been brought forward at different times in a cursory manner, there had been frequent conversations upon it, but it was never brought really to a point till the last spring.

When you made the proposition, did you state to the committee that Dr. Hutchison dissented from it, and that he was of opinion that the dietary then recommended was not sufficient?—I did I believe more than once; but on the day to which I have alluded, the 24th of May, so strongly impressed was I with the idea that Dr. Hutchison would rather wave renewing his objection to it till it was actually tried, conceiving it to be very much the wish of the committee that an alteration should take place, I stated in very strong terms my hope that he would not object to the experiment; I believe the members of the committee rather misunderstood me, and conceived that I had actually said he had waived the objection, whereas all I meant was, that I hoped and expected that he would do so. I find that the gentlemen who were present then certainly did conceive that I had announced to them a complete acquiescence by Dr. Hutchison in the measure that was suggested; it is but fair that I should state that circumstance, both towards the committee and towards Dr. Hutchison; there was no retraction on the part of Dr. Hutchison, though the committee conceived he had really withdrawn his objection; I believe that to be the real state of the case.

Have you any means of employing the prisoners in hard labour in Dorchester gaol?—We have labour; my opinion is, that there is no such thing as *hard* labour in any prison.

Have you the tread mill?—Yes, but I do not conceive that to be *hard* labour.

Do you increase the diet to those prisoners who are employed in the mill?—We do not.

What has been your observation upon the appearance and state of health of the prisoners, compared with the time when they are admitted, and when they have gone out of the prison; taking a prisoner who has been two years in the gaol?—The greater part of them go out in a better state of health than they come in; almost invariably that is the case.

Can you state what quantity of meat there is in the quart of soup, which is given to the prisoners?—It is not nearly so rich as the Penitentiary soup, I have compared them.

Is there any solid meat in that soup?—None delivered out to the prisoners; it is completely boiled to rags, we use a digester and extract every substance possible from the bones; the meat is completely boiled to rags, and it is afterwards thrown away.

Do you allow any food of any description, to be introduced into your prison by persons visiting your prisoners?—Never to a convicted prisoner.

Will you state to the Committee what steps you took to ascertain the quantity of meat which you thought ought to be used in the soup, according to the new plan of dietary?—I considered it as a case in which the cooks could give me the best information; and I went, accompanied I think by Mr. Couch, the late governor, and by Mr. Rickford, the steward of the Penitentiary, to the cooks of the kitchen of the first and second pentagons; and I asked them what quantity of ox heads they conceived would be requisite to provide soup as good as that which had been previously in use for those pentagons, supposing them complete, that is, for 300 male prisoners: the cooks said, that they thought it would require four ox heads for 300 male prisoners. I then went to the cooks of the other male kitchen for the fifth and sixth

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pentagons, and put the same question to them in a very deliberate manner; the answer by the cooks of the second kitchen was, that two ox heads would be sufficient to provide equally good soup for 300 male prisoners. I then took the medium, at three ox heads.

One ox head for each 100 prisoners?—Yes. I then proceeded to the cooks of the female kitchen, and inquired of them what quantity of ox heads, supposing the female department to be completely full, 400 prisoners, would be necessary for their use; the cooks of that kitchen said they thought three ox heads would suffice for the 400 female prisoners, and as the women had only three-fourths of the food of the men, it was equal in proportion to three ox heads for 300 males. Combining upon the whole the opinions given by the several cooks, and taking the medium, it appeared that three ox heads would be sufficient for 300 males, or one ox head for 100 male prisoners; and I therefore recommended to the committee that that might be the rate, and a proportionate diminution with respect to the women.

Did Dr. Hutchison accompany you in those visits to the kitchens?—He did not.

Did you ever consult with him upon the propriety of having soup made for 100 persons out of an ox head?—I do not think I have specifically; I may, perhaps in conversation, have said something on the subject, but I do not recollect having done so.

Was the soup in the Dorchester gaol made from ox heads, or from other parts of the animal?—From other parts, the shins principally.

What description of prisoners are received into the Dorchester gaol?—Every description.

Do you make any difference in the diet with those persons who have been in the habit of living upon a higher diet, from those whose life is such as that they have lived upon a very low diet, before they were admitted?—We have but one diet in the gaol of Dorchester; debtors for instance, will generally maintain themselves; but if there is any debtor who is poor, and who cannot maintain himself, he petitions to have what is called the county allowance.

What is that allowance?—A pound and a half of bread and water, and the soup served out twice in the day, once in the morning early, and when they leave off work.

Have you ever found that this diet has had any prejudicial effect upon the debtors?—Never at all.

Has it on any class of persons who have been in the habit of living before they were received into prison, on a higher diet?—Never; some of the prisoners when the tread mill was first established, had thought it would be a good speculation, to ask for the indulgence of better food, and they said it would be such exceedingly hard work, it would be impossible to perform it unless they had better food; we told them it was a hopeless scheme of theirs, we were aware they could do very well upon that food, and therefore it would be useless for them to renew their complaints; there were three or four attempts made, and at last they gave it up, and it has been in use for a year and half, and for many months we have never heard a complaint on the subject; and they go on well, and in a very good state of health.

Did you ever find any individual in the Dorchester gaol who, before his admission to the prison had probably lived on a full diet, confined there for two years, or any great length of time, reduced in his health or in his appearance on going out of the gaol?—I never recollect any such instance, where it was attributed to that cause; a person might lose his health perhaps from some other cause, but I never knew it attributed to the diet, nor ever heard it urged by the prisoners.

Doctor Hutchison, in his letter of the 22d of March 1822, recommends one quart of broth to the males as now made, or with ox cheeks; in fixing the quantity of ox cheeks, did you mean, as far as the broth is concerned, to conform to that direction or to give more or less?—The question I put to the cooks was, what quantity of ox heads would make the soup as good and as rich as it had hitherto been, and they gave me the answer I have had the honour of stating to the Committee.

You meant to make the broth with the ox heads as strong as it had been previously to that with the meat?—Yes, I have been repeatedly told by several persons that the meat from the ox head was much more nutritious than from any other part of the animal, therefore I conceived it would be a benefit to the prisoner and not to his prejudice to make it of ox head rather than of other parts.

How frequently have you seen the prisoners in the Penitentiary, as a member of the committee, since the dietary was changed?—I have scarcely seen them at all, for

I left

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I left London the first week in June of the last year, and I have scarcely attended since; I have been at the Penitentiary three or four times since, but I believe not in any of the pentagons; I have merely gone to the secretary's room to obtain a sight of certain papers which I wanted to see, relative to the accounts, and I confined myself entirely to that object.

Will you have the goodness to state your reason for declining to be a member of the committee?—I had for a great length of time found it inconvenient to attend; the distance was considerable, and being now advanced in life, I have been rather desirous of diminishing my labours than extending them further, and therefore for two years I have had it in contemplation to propose to retire from the committee; this time last year I was very near sending in my resignation, and was only induced to continue on the Committee in the hope of seeing the accounts of the present year completed; it has been my principal object at the Penitentiary, for the last two or three years, to see the accounts brought to the state of perfection to which I may say they are now brought; I always intended whenever that object was answered to retire.

Do you allude to the amount of the building, or the amount of expenses?—To the accounts of the current expenses.

When are they made up to?—To the end of the year; to the last day of the year.

What were the regulations in Dorchester gaol, in respect to air and exercise?—The work performed in the gaol at Dorchester, has always been in the open air; we have, as in every other gaol, found a very considerable difficulty, and very great loss, in attempting any thing of manufacture, and we have therefore, principally employed our people, when there has been any repair going on, as carpenters, bricklayers, plasterers or labourers, and in new pointing the boundary wall, also in a large garden, applied to the purpose of a nursery, within the precincts of the gaol, in which we employ those prisoners who may be trusted to go out of the walls of the prison; those who now work, are principally employed at the tread mill, and in the garden, employments which bring them out in the air; others who do not work, are either in the court yards, or in their day rooms, which open to the court yards, so that they also are constantly in air, and so far in exercise, that they may walk about the court yard the whole day.

Had, what was considered to be the treatment of Dr. Hutchison, any operation upon your mind, with regard to hastening your retirement from the committee of management?—I cannot say that it had, I came to town after Christmas with a determination then of resigning as soon as I had satisfied myself on the subject of the accounts; and I mentioned to several of my friends, that that was my determination.

Can you distinctly say, that had no one single operation upon your mind, with respect to your retirement?—I came to town the same week that Dr. Hutchison received the notice that the committee would proceed to his dismissal, if he did not make that step unnecessary by a previous resignation; the Saturday after my arrival in town that question was to be determined, and I resigned before that Saturday; I knew I should feel myself in a very unpleasant situation attending the committee on that day, and that may perhaps have accelerated by a few days only my decision.

Will you have the goodness to state distinctly what you consider to be the true question between Dr. Hutchison and the committee, that on the one hand they politely stated to him, that if he did not resign they would turn him out, and which made such an impression upon your feelings, that you yourself rather resigned than meet a question of that description?—Having been out of town during that period, I can hardly say myself what the whole of the grounds were; I understood that the tone of a letter of Dr. Hutchison's had not been considered as very pleasing by the committee, and that that was the reason assigned, as I have heard.

Can you recollect the diet in the Dorchester gaol before the year 1809?—The regular diet was a pound and a half of bread only; the meat and the small beer to certain prisoners was added in consideration of the prisoners doing certain kinds of work; when more men got into work we extended it, and at length it became the regular practice; about three days in a week they had meat, and the other days they had broth.

Those that did not work had actually only a pound and a half of bread a day and water?—For years they had only a pound and a half of bread a day and water, which was fixed on the recommendation of Mr. Howard himself.

Did not friends then give them food?—Those who had friends received food from those friends.

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And those who had money could buy?—Yes, as to persons before trial, but not as to those who were convicted; from the time that the strict regulations were drawn up and had the sanction of the judges, no convicted prisoner was allowed to receive any thing from friends, or to purchase it, but before those rules were drawn up and had the sanction of the judges, I am afraid we went on very irregularly in our prison, we had a very loose form of proceeding, and I believe prisoners of any description were then allowed to purchase provisions.

As the good order and discipline of great establishments depend upon the confidence of the officers therein, is it the general custom to turn off officers of establishments only for writing an unpleasing letter to those who are their superiors, and sending a copy of such complaint to the secretary of state?—I really cannot take upon myself to answer that question.

The Reverend Archdeacon Pott, further Examined.

Rev.
Archdeacon Pott.

IS there any thing which you wish to add to the evidence, with which you have favoured the Committee?—Merely one remark; I believe in the course of my examination, I stated that the committee was but slenderly attended during the summer, from the mention of which, it might appear that we did not act with that promptitude in applying remedies we might otherwise have done; but that really was not the only circumstance that operated in my mind particularly, the disease at that time was not known to have a peculiar character, and there were a great number of sick at that time in my own parish; I had more than twice the usual number of sick, and twice the usual number of funerals, and therefore I was led to conceive it might be the influence of the season, particularly as there was no apparent character in the disease.

P. M. Roget, M. D. and P. M. Latham, M. D. delivered in the following Returns:

Prisoners under Medical treatment, May 23, 1823.

		Men.	Women.	Total.
Diarrhœa	{ Stationary - - -	63	46	109
	{ Better - - -	51	56	107
	{ Well - - -	64	47	111
Other Complaints	- - -	24	35	59
Total	- - -	202	184	386

Prisoners under Medical treatment, on the 11th of June 1823.

		Men.	Women.	Total.
Diarrhœa	{ Stationary - - -	73	35	108
	{ Improving - - -	86	38	124
	{ Well - - -	82	88	170
Other Complaints	- - -	24	28	52
Total	- - -	265	189	454

It appears by these returns you have just delivered in, that that there were 275 persons who were either stationary or convalescent on May 23d, and June the 11th, under the same heads, there were 284; do you still continue of opinion that the disease is breaking down in its violence?—*Doctor Latham.*—Unquestionably.

Spread over a larger surface, but not so intense in severity?—Just so.

In both those tables there is a return of well, in one amounting to 111, and in the other amounting to 170; are those persons returned well under medical treatment?—They are still under medical treatment; we conceive that they retain a proneness to relapse.

Are they under what you call medical treatment or medical watching?—The strictest medical watching, and under medical treatment as to what is properly called medicine.

Is it from that class just mentioned that those relapses take place, instances of which the Committee saw the day before yesterday, when they were in the establishment?—Undoubtedly; there are none but relapsed cases at present; there have been no new cases for a considerable time.

There are a certain number of persons reported here as well; is it from among those

Dr. Roget
and
Dr. Latham.

those persons reported well that the cases of relapses occur?—For some time past, we have sent down no patients into the infirmary whatsoever; therefore, of course, it cannot be from that class that have been stated in these returns as well, that the relapses have taken place during the last fortnight; but the relapses have taken place from the prisoners who were ill when we first went round.

And who have been sent into the body of the Penitentiary, being considered as cured?—Yes.

Have you had many new cases recently of prisoners never before affected with the disease?—I do not think we have; we have very few, if any; I speak of the last week or fortnight.

When did the last case occur of new disease?—I cannot speak to that.

Within a few days?—I think not within a few days; I think not within a fortnight.

Has any patient died since Monday?—No.

How many patients do you consider now to be in a dangerous and critical state?—I think if I was to state eight cases that would be the outside.

Eight desperate cases?—I do not state them to be desperate cases, but cases that we are anxious about.

Was the prisoner who last died opened?—We could not obtain permission from the friends.

Those eight cases you mentioned, are cases of diarrhœa?—Yes; we consider ourselves as speaking to those cases.

Have you any thing to state that you would recommend to be done that has not already been done?—With respect to the discipline of the prison, nothing at all occurs to me over and above what has been done, that could be done, medically speaking.

To Dr. Roget.—Does any thing occur to you?—Nothing occurs to me.

[The following Papers were delivered in, and read:]

“ Dietary of the House of Correction, at Cold Bath Fields.

“ The old system of diet:

1 Pound of white bread,	} every day.
1 Pint of gruel,	
6 Ounces of beef, or	} alternate days.
a quart of soup,	

“ July 16th 1821.—The diet was reduced for the felons and vagrants only, to a pound of white bread and a pint of gruel per day.

“ June 1822.—When the mill began to work, the pound of white bread was changed to two pounds of brown.

“ No alteration had hitherto been made with regard to the misdemeanors and other classes, except the felons and vagrants; and the prisoners friends were allowed to supply them with food as before.

“ December 15th, 1822.—The diet of the whole prison was reduced to 1 $\frac{1}{2}$ lb. of white bread and 1 pint of gruel, or the soup the beef was boiled in on Sunday, on which day half a pound of beef (after being cooked) was allowed; and no food was allowed to be brought in, except for the state rooms.

“ March 1st, 1823.—1 $\frac{1}{2}$ lb. white bread, 1 pint of gruel, and, on alternate days, 6 oz. of beef, or a pint of soup that the beef was boiled in, thickened with peas, oatmeal, and ox heads in proportion of one to 100 persons, excepting Saturday; and on that day, only 1 $\frac{1}{2}$ lb. of bread, and 2 pints of gruel.”

Lunæ, 16^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

John Henry Gell, Esq. called in; and Examined.

HAVE you brought with you the Inquisitions on the persons who have died at the Penitentiary since the 1st of January last?—I have.

[The witness delivered in the same.]

Have you the minutes of Evidence taken under those Inquisitions?—I have.

Dr. Roget
and
Dr. Latham.

(12 June.)

J. H. Gell,
Esq.

(June 16.)

[The witness delivered in the same:—The depositions and verdicts were read, as follows:]

City and Liberty
of Westminster,
in the County
of Middlesex.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of John Watson, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 8th day of January, in the third year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said John Watson, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his corporal oath deposeth:—"The deceased was tried on 28th February 1822, at Appleby in the county of Westmorland, and convicted of grand larceny, and sentenced to seven years transportation, which was commuted to five years imprisonment in this place; he was received here on the 1st of June 1822; he was then stated to be 30 years old, and in good health." (signed) *J. Couch*.

John Pratt, surgeon to the said prison, on his oath deposeth:—"The deceased was removed into the infirmary, for the first time, on the 7th of June 1822, complaining of pain in the loins; he remained there until the 10th of the same month, when he was discharged; he was again admitted into the infirmary on the 2d of September, complaining then of a pain in his side, and sent again to the pentagon on the 6th as cured; he remained in good health until the 26th October, when he had a return of the same pains; he remained in the infirmary until the 11th November, when he had recovered; on the 7th December he was removed to the infirmary, complaining of pain in the loins and in the region of the heart, of which complaint he died on the 7th of January instant. He died from inflammation of the kidneys and the heart; he was attended daily by Dr. Hutchison and myself; the mark on his left side is from a blister." (signed) *John Pratt*.

Samuel Bennett, clerk, A. M. chaplain to the General Penitentiary aforesaid, on his oath deposeth:—"I was in the habit of attending the deceased daily; on the 6th instant, in the morning, he sent to me, requesting I would administer the sacrament, as he considered himself seriously ill; I attended him accordingly; I was with him yesterday morning, when he was aware he should not live; he was perfectly sensible and resigned, his behaviour had been most exemplary; I was with him when he died, which was about a quarter past ten yesterday morning; at ten minutes before this event he requested me (after his death, which he said would be before night) to write to his wife, of whom and his children he spoke most affectionately."

VERDICT:—That the said John Watson, on the seventh day of January, in the year aforesaid, at the prison aforesaid, in the said liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

City and Liberty
of Westminster,
in the County
of Middlesex.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Robert Ovendale, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 27th day of January, in the third year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Robert Ovendale, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his oath deposeth:—"The deceased was tried 11th April 1820, at Derby sessions, and convicted of poaching, for which he was sentenced to seven years transportation; this was commuted to five years imprisonment in this Penitentiary, where he was received on the 7th June 1820, from the Justitia hulk; he was then stated to be 22 years old, and in good health." (signed) *J. Couch*.

John Pratt, surgeon of the said prison, on his oath deposeth:—"The deceased was removed into the infirmary on the 2d of October last, complaining of pains in the

the chest, and cough; the lungs were very much inflamed, and it terminated in suppuration, which was the cause of his death; he died consumptive, on the 24th January instant. I do not remember that he had been a patient before the time I first mentioned. He was attended by Dr. Hutchison and myself, and every thing that could be thought of was done for him; when he was first admitted in the infirmary, his diet was milk and fish." (signed) *J. Pratt.*

VERDICT:—That the said Robert Ovendale, on the twenty-fourth day of January, in the year aforesaid, at the said prison in the said parish, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Peter Prest, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the fifteenth day of February, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Peter Prest, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

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John Couch, governor of the said prison, on his oath deposeth:—"The deceased was tried on the 15th January 1822, at York, and convicted of poaching, and sentenced to seven years transportation, which was commuted to five years imprisonment in this Penitentiary, where we received him on 25th February 1822; he was then stated to be in good health, and of the age of 29 years; he was a married man and had three children; he behaved well during his confinement here."

(signed) *J. Couch.*

The Reverend *Samuel Bennett*, chaplain to the said prison, on his oath deposeth:—"The deceased has been here about a year. I perfectly recollect that soon after he was admitted, his mind was much affected on account of his family; he was not deranged, but seemed in a state approaching to despair; time got the better of it, and he appeared more reconciled to his situation; he was not at all dissatisfied with his treatment, but laid the blame entirely to himself; he lamented the state in which he had left his wife and family. He some time since applied for leave to attend the sacrament, and being satisfied with his conduct I admitted him, with other communicants at the chapel. In consequence of what he first said to me, as to his mind, and the situation to which he had brought his family, I more frequently spoke to him than I did to any other prisoner; nothing particular passed until about ten days or a fortnight ago, when he was admitted into the infirmary; yesterday morning a quarter before two, I was called up to him; he then seemed aware that his death was approaching, and requested I would administer the sacrament, which I did; he expressed himself much obliged to me, and I was well pleased with his behaviour; about half past nine I went up again, and as I reached the door, the turnkey informed me he had died that moment." (signed) *Sam^l Bennett.*

John Pratt, surgeon of the said prison, on his oath deposeth:—"The deceased was removed into the infirmary on the 2d February last, with a violent purging and vomiting, which continued until a day prior to his death, and under which disease he gradually sunk; he had from fourteen to sixteen stools a day, besides constantly vomiting. He was attended by myself and Dr. Hutchison, and every thing possible for his good was done; we had very little hopes from his being admitted on the 2d instant into the infirmary; I saw him three and four times a day; I visited him at eleven o'clock at night, and at two in the morning; he died at half past nine yesterday morning, of diarrhoea, which is a disease of that nature, that the lustiest person with it would be reduced to a mere skeleton in a few days. He had never been in the infirmary before." (signed) *John Pratt.*

John Hill, late of Royston in Cambridgeshire, a prisoner, on his oath deposeth:—"I am a wardsman of the infirmary of this prison. The deceased came into the infirmary last Sunday week, and I attended him since. I never heard him complain of having wanted provisions; when he was in the infirmary he had wine, fish, milk, as much as was proper; he was denied nothing, and the doctor told him he might have what he liked." (signed) *J. Hill.*

Francis Goodson, of Westmill near Buntingford, Herts, being sworn, corroborated the above of Hill's.

VERDICT :—That the said Peter Prest, on the fourteenth day of February, in the year aforesaid, at the prison aforesaid, in the said city or liberty, in the county aforesaid, departed this life in a natural way by the visitation of God.

City and Liberty
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in the County
of Middlesex.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Mary Ann Davison, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 18th day of February, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Mary Ann Davison, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his oath deposeth :—"The deceased was tried at Newington, Surrey, on 29th May 1820, and convicted of stealing a watch; for which she was sentenced to seven years transportation, which was commuted to five years confinement in this Penitentiary; where she was received on the 3d June 1820 from Horsemonger-lane; she was then stated to be fifteen years old, and in good health."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth :—"The deceased's health continued very good until Dec. 30, 1822; she had not, prior to that time, been once in the infirmary. On 30th December aforesaid, she was removed to the infirmary, complaining of languor and irritation of heart and lungs, and which continued increasing until expectoration took place, when she became consumptive (gradually wasting away;) and she died on the 17th of this month of that disease, 'consumption.' Every thing was done that could be thought of for her good, by Doctor Hutchison and myself. She was frequently visited by her grand-father and grand-mother; their last visit, when she was alive, was on last Saturday. She died on five o'clock yesterday morning; I had seen at three."

(signed) *John Pratt.*

The prisoner stole the watch from her mother-in-law, and her father prosecuted.

VERDICT :—That the said Mary Ann Davison, on the 17th day of February, in the year aforesaid, at the said prison, in the said liberty in the county aforesaid, departed this life in a natural way, by the visitation of God, and not otherwise.

City and Liberty
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in the County
of Middlesex.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Mary Esp, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 20th day of February, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Mary Esp, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his oath deposeth :—"The deceased was tried in Shropshire, on 21st March 1821, and convicted of grand larceny, for which she was sentenced to seven years transportation, which punishment was commuted to five years confinement in this Penitentiary; where she was received on 5th June 1821. She was then stated to be 21 years old, and in good health; she then had marks on her neck and knee."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth :—"The deceased was removed to the infirmary on 9th February instant, afflicted with a cough and diarrhœa; she had scrophulous abscesses in her neck, which were there before she came here; she had been several times in the infirmary with sores before her last admission on the 9th instant. She appeared to be doing very well until yesterday morning about seven o'clock, when hæmorrhage took place from the glands of the neck; and I suspect that an abscess had formed in her chest, which had burst, and which was the cause of her death. She had been attended by myself and Doctor Hutchison; and every thing had been done for her for her good."

(signed) *J. Pratt.*

VERDICT :

VERDICT :—That the said Mary Esp, on the 10th day of February, in the year aforesaid, at the said prison, in the said parish, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

INFORMATIONS of witnesses, taken this 25th February 1823, at the Penitentiary, Milbank, parish of Saint John the Evangelist, on William Condwell, aged about thirty years, a prisoner in the Penitentiary.

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John Couch, governor of the Penitentiary aforesaid, being sworn, saith :—“ That the deceased, William Condwell, was tried at Preston, 13th January 1820, found guilty of stealing poultry, and sentenced to be transported for seven years, and which was commuted to five years imprisonment here ; he was received here on the 7th June 1820, from the *Justitia* hulk ; he was in good health when he was received here.”

(signed) *John Couch.*

John Pratt, Surgeon of the Penitentiary, being sworn, saith :—“ That the health of the deceased was pretty good till 3d July last, when he was removed into the infirmary, with an attack of fever ; from that time till 3d September, he was under my care ; he quite recovered, and was removed back to his pentagon ; he continued very well till 29th December last, when he was again removed to the infirmary, labouring under a degree of languor and low spirits ; in a week he was returned well to his pentagon ; on 5th January last he was again removed to the infirmary, afflicted with a diarrhoea and dropsy in the chest, that gradually increased till 23d February, when he died of that complaint ; he was attended by me three or four times a day, and by Dr. Hutchison three times a week ; during his confinement, he had every proper nourishment, wine, beer, fish, &c. I have full power to order for all persons, while in the infirmary, whatever I judge proper ; every thing was done that could be ; I do not think that the food of the prisoners would bring on dropsy ; in my opinion, it is sufficient to keep them in health.”

(signed) *John Pratt.*

VERDICT :—We are of opinion, that the deceased died a natural death, by the visitation of God ; but in our opinion, so many prisoners would not die if they were allowed a small portion of meat ; and it is our wish and desire, that this our opinion should be communicated by the coroner to the directors of the Penitentiary, in the hope that they will take some steps to obtain a small allowance of meat to the prisoners generally.

(signed) *J. Stent, Foreman,*

On behalf of the Jury on W. Condwell.

To be sent to the Superintending Committee of the General Penitentiary.

INFORMATIONS of witnesses, taken this 25th February 1823, at the General Penitentiary on Milbank, in the parish of Saint John, on the body of Humphrey Adams, aged about 34 years.

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John Couch, esq. of the said Penitentiary, being sworn, saith :—“ That the deceased, Humphrey Adams, was tried at Bedford, on 14th March 1821, and found guilty of grand larceny ; sentenced to seven years transportation, which was commuted to five years imprisonment here ; he was received here on the 1st June 1821, from the *Justitia* hulk, and he was then in good health.”

(signed) *J. Couch.*

John Pratt, surgeon of the Penitentiary aforesaid, being sworn, saith :—“ That deceased was removed into the infirmary in February last, afflicted with diarrhoea, of which disease he died. I attended him twice each day, and he was also attended by Dr. Hutchison three times a week ; he had as many as twelve or fourteen motions a day ; every thing was done for him that could possibly be ; he died 24th February ; he had wine, sago, milk, &c. indeed every thing I considered proper for him, which I can order to all sick prisoners without control.”

(signed) *John Pratt.*

VERDICT :—Natural death, with the same observation as in the case of Condwell. The said Humphrey Adams, on the 24th day of February, in the year aforesaid, at the parish and in the liberty aforesaid, died by the visitation of God, in a natural way, and not otherwise.

INFORMATIONS of witnesses, severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Margaret Patterson, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the

{ City and Liberty
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said liberty, in the county aforesaid, on the 28th day of February, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Margaret Patterson, then in the said parish in the said liberty, in the said county, lying dead, as follows: (to wit)

John Couch, governor of the said prison, on his corporal oath, deposeth:—"The deceased was tried at the Old Bailey on 21st April 1819, and convicted of stealing in a dwelling house, for which she was sentenced to transportation for life, which was commuted to ten years confinement in this prison, where she was received on 18th April 1820; she was then stated to be nineteen years old and in good health."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth:—"The deceased was removed to the infirmary on the 12th January last, with diarrhœa, which disease continued to the time of her death; and during which time she had ten or a dozen motions day and night; she was attended by Dr. Hutchison and myself, and every thing was done that we could think of for her recovery; she died this morning about six o'clock, I had seen her at two; we had for the last fortnight every hour expected her death; 150 patients had been admitted into the infirmary during the month of January, but not one died that month; the deceased had very seldom been in the infirmary before, but had enjoyed good health."

(signed) *John Pratt.*

VERDICT:—That the said Margaret Patterson, on the said twenty-eighth day of February in the year aforesaid, at the parish aforesaid, in the said city or liberty in the county aforesaid, departed this life in a natural way by the visitation of God.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Henry Jew, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of St. John the Evangelist, in the said liberty, in the said county aforesaid, on the 8th day of March, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Henry Jew, then in the said parish, in the said liberty, in the county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his oath deposeth:—"The deceased was tried at the Old Bailey, 6th December 1821, and convicted of embezzling 2s. 6d. the property of his master, for which he was sentenced to seven years transportation, which was commuted to five years confinement in this Penitentiary, where he was received on the 13th March 1822; he was then stated to be forty-six years of age and in good health."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth:—"The deceased's health was very good until the 11th of last month, when he was seized with diarrhœa, which continued to the time of his death, which was a quarter before seven o'clock this morning; he was attended by Dr. Hutchison and myself, from the commencement of his disease, and for the last week by Dr. Roget and Dr. Latham, physicians, and every thing we could think of for the deceased's good was done for him."

(signed) *John Pratt.*

VERDICT:—That the said Henry Jew, on the said 8th day of March aforesaid, at the said prison in the said parish, in the said city or liberty and county aforesaid, departed this life in a natural way by the visitation of God.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses taken this 10th March 1823, at the General Penitentiary on Milbank, in the parish of St. John the Evangelist, on Robert Dyer, aged thirty-one years.

Jordison White, master manufacturer of the General Penitentiary on Milbank, being sworn, saith:—"That the deceased, Robert Dyer, was tried on 10th July 1820, at Bridgewater, and found guilty of stealing from his master, and sentenced to seven years transportation, and which was commuted to five years confinement here; he was received in the Penitentiary from the Justitia hulk on the 9th November 1820."

(signed) *Jordison White.*

John Pratt, surgeon of the aforesaid Penitentiary, being sworn, saith :—" That the deceased was removed into the infirmary on 15th of February last, complaining of nausea and pain in the chest, which continued, and he likewise had frequent fits of violent spasms or cramp in the stomach ; he was attended by myself and Doctor Hutchison at the beginning, and the last week by Doctors Latham and Roget ; he died last Saturday the 8th March : we suspect there must have been an effusion of blood on the head and chest, which caused his death ; he had every thing done for him that could be, he was bled and blistered frequently."

(signed) *J. Pratt.*

VERDICT :—That the said Robert Dyer, on the 8th day of March in the year aforesaid, at the parish and in the liberty aforesaid, died by the visitation of God in a natural way, and not otherwise.

INFORMATIONS of witnesses, taken this 10th March 1823, at the General Penitentiary on Milbank, in the parish of St. John the Evangelist, on Thomas Read, aged twenty years.

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Jordison White, master manufacturer of this Penitentiary, being sworn, saith :—" That I attend this day, by reason of the illness of the governor ; that the deceased, Thomas Read, was tried on 14th February 1816, at the Old Bailey, and found guilty of felony, and sentenced to fourteen years transportation, and which was commuted to seven years confinement here ; he was received here 11th February 1817 from Newgate."

(signed) *J. White.*

John Pratt, surgeon of the General Penitentiary on Milbank, being sworn, saith :—" That the deceased was removed to the infirmary on 6th February last, complaining of rheumatic pain in his loins, and which was followed by dropsy ; he was attended at the beginning by myself and Dr. Hutchison, and the last week by Drs. Latham and Roget ; yesterday afternoon, about four, they saw him, when he appeared somewhat better ; I saw him about six last evening, and I was sent for about eight ; we think there was an effusion of water upon the chest, which caused that sudden death ; every thing was done that his case admitted of ; a variety of causes will bring on dropsy ; I do not think that, in this case, it was produced by lowness of living ; each prisoner has now four ounces of meat, and three oranges, in addition to their former allowance."

(signed) *J. Pratt.*

VERDICT :—That the said Thomas Read, on the 9th day of March in the year aforesaid, at the parish and in the liberty aforesaid, died suddenly, by the visitation of God, and not otherwise.

INFORMATIONS of witnesses, taken this 10th March 1823, at the General Penitentiary on Milbank, in the parish of St. John the Evangelist, on James Jones, aged twenty-nine years.

{ City and Liberty
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of Middlesex.

Jordison White, master manufacturer of this Penitentiary, being sworn, saith :—" That I attend here this day in consequence of the illness of the governor ; that the deceased, James Jones, was tried on 10th January 1821, at the quarter sessions at Stafford, and found guilty of grand larceny, and sentenced to seven years transportation, which was commuted to five years confinement here ; he was received in the Penitentiary on the 17th August 1821, from the Justitia hulk."

(signed) *J. White.*

John Pratt, surgeon of the General Penitentiary at Milbank aforesaid, being sworn, saith :—" That the deceased was removed to the infirmary on the 18th of last February ; he was afflicted with a violent purging ; he had as many as fifteen motions a day ; this continued till last and he died about one this day ; he was attended by myself and Dr. Hutchison at the commencement, and by Drs. Latham and Roget for the last week ; he had every thing done that could possibly be, and latterly, when I judged it proper, he had a pint of wine ; he died of this disorder."

(signed) *John Pratt.*

VERDICT :—That the said James Jones, on the said 10th day of March aforesaid, at the parish and in the liberty aforesaid, died by the visitation of God, in a natural way, and not otherwise.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Ann Collins, at the prison called or known by the name of the General Penitentiary, situate in Milbank,

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in the County
of Middlesex.

Milbank, in the parish of St. John the Evangelist, in the said liberty, in the county aforesaid, on the 13th day of March, in the 4th year of the reign of our Sovereign Lord the King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken, on a view of the body of the said Ann Collins, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

John Couch, governor of the said prison, on his oath, deposeth:—"The deceased was tried at Lancaster, on 23d August 1820, for having in her possession forged bank notes of the Bank of England, of which she was convicted, and sentenced to fourteen years transportation, which was commuted to seven years imprisonment in the Penitentiary; she was received here on 2d November 1820; she was then in good health, and then stated herself to be 45 years old."

(signed) *John Couch.*

John Pratt, surgeon to the said prison, on his oath, deposeth:—"The deceased was removed to the infirmary on 7th February last, complaining of pains in her chest and inflammation of the lungs, which disease was the cause of her death; she died this morning about eight o'clock; she was attended by Dr. Hutchison and myself in the beginning of her disease, and for the last ten days by us and Drs. Roget and Latham; for the last fortnight we had no hopes of her recovery."

(signed) *J. Pratt.*

VERDICT:—That the said Ann Collins on the said 13th day of March, in the year aforesaid, at the prison aforesaid, in the said parish, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

City and Liberty
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in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Ann James, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of St. John the Evangelist, in the said liberty, in the county aforesaid, on the 17th day of March, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken, on view of the body of the said Ann James, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

John Pratt, surgeon of the said prison, on his oath, deposeth:—"The deceased was removed to the infirmary on 10th February last, complaining of nausea and headache and pain at her stomach; she seemed to mend for a few days, when jaundice took place, which was the cause of her death; she died yesterday; she was attended all the time by Dr. Hutchison and myself, and by us and Dr. Roget and Dr. Latham for the last fortnight; she was in the infirmary several times before, viz. from 17th April 1821, with inflammation of her chest, to 18 June 1821; again, from 28th June to 16th July 1821, and from 12th February 1822 to the 18th February 1822, and from 26th to 28th January 1823, with attacks of inflammation of the lungs. The diet the prisoner partook of was not the occasion of her illness or death."

(signed) *John Pratt.*

John Couch, governor of the prison, on his oath deposeth:—"The deceased was tried at Maidstone on 2d of August 1819, and convicted of robbing her lodgings, for which she was sentenced to seven years transportation, which was commuted to five years confinement in this prison; she was received here 1st of September 1819; she was then stated to be eighteen years old and in good health; the women's dietary for each person daily was 1½lb. bread, gruel, a pint at night and a pint per morning, ox head soup, one pint at dinner; this was the reduced dietary, and was the prison allowance from July to the time she was last admitted into the infirmary."

VERDICT:—That the said Ann James, on the sixteenth day of March, in the year aforesaid, at the parish aforesaid, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

City and Liberty
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in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Thomas Peter Mansfield, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 24th day of March, in the fourth year
of

of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Thomas Peter Mansfield, then in the said parish, in the said liberty, in the said county, lying dead, as follow : (to wit)

John Couch, governor of the said prison, on his oath deposeth :—" The deceased was tried at the Old Bailey on 15th of January 1817, and convicted of felony, for which he was sentenced to be transported for his life, which was commuted to ten years imprisonment in this Penitentiary ; where he was received on 18th February 1817, he was then stated to be 16 years old, and in good health."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth,—“ The deceased was removed to the infirmary on the 3d March instant, with violent pains in his head, which terminated in apoplexy, and caused his death on the 22d March ; he had been frequently in the infirmary for fits, to which he had been subject ; he was in the infirmary on account of fits, in August and September 1821, and December following, and in January 1822 he was there for a week ; in April last he was there for a week ; in August he was up for five days, and in January last for six days for fits ; he was attended by Doctor Hutchison and myself, and by Doctors Roget and Latham ; the apoplexy ensued from a natural cause."

(signed) *John Pratt.*

VERDICT :—That the said Thomas Peter Mansfield, on the twenty-second day of March, in the year aforesaid, in the said prison, at the parish aforesaid, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God ; to wit, in and by a fit of apoplexy.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Harriet Church, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in county aforesaid, on the 24th day of March, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Harriet Church, then in the said parish, in the said liberty, in the said county, lying dead, as follow : (to wit)

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of Middlesex.

John Couch, governor of the said prison, on his oath deposeth :—" The deceased was tried at Winchester assizes, on 2d March 1818, and convicted of house-breaking, for which she was sentenced to seven years transportation, which was commuted to five years imprisonment in this Penitentiary, where she was received on 23d June 1820 ; she was then stated to be 23 years old, and in good health."

(signed) *J. Couch.*

John Pratt, surgeon of the said prison, on his oath deposeth :—" The deceased was removed to the infirmary on the 1st February last, complaining of head-ache and loss of sight, and which continued for several days, and had the appearance as if an effusion of water had taken place in the head ; she got somewhat better, when she appeared to be in a deranged state, so much so, that an application was intended to be made to the secretary of state to have her removed to Bedlam ; about a week prior to her death she appeared to be dying, and I sent for Dr. Hutchison to come immediately ; he came, but the deceased had then recovered from a fit, which I considered was mortal, and until yesterday she appeared much better. I was sent to her at five yesterday morning and found her dying ; she died about seven that morning. She had several times been in the infirmary before for violent head-aches, viz. in September 1821, September 1822, and in January 1823 ; some effusion of blood in the head or heart, but most probably the head, caused her death ; she was attended by Drs. Hutchison, Roget and Latham, and myself."

(signed) *John Pratt.*

VERDICT :—That the said Harriet Church, on the twenty-third day of March, in the year aforesaid, in the said prison, at the said parish, in the said city or liberty and county aforesaid, departed this life in a natural way, by the visitation of God.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of John Guest, at the prison called or known by the name of the General Penitentiary, situate in
533. U 3 Milbank,

{ City and Liberty
of Westminster,
in the County
of Middlesex

Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 27th day of March, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said John Guest, then in the said parish, in the said liberty, in the said county, lying dead, as follow : (to wit)

Benjamin Chapman, governor of the said prison, on his oath, deposeth :—" The deceased was tried at the Old Bailey, on 12th September 1821, and convicted of stealing a piece of bacon, valued at sixpence, and a basket valued sixpence, for which he was sentenced to seven years transportation, which was commuted to five years confinement in this Penitentiary; he was received here on the 7th December 1821; he was then stated to be 22 years old, and in good health; all the foregoing appears by the entry in the prison register, and not from my own observation, as I only commenced my duties as governor yesterday."

(signed) *Benjamin Chapman*, governor.

John Pratt, surgeon to the said prison, on his corporal oath, deposeth :—" The deceased was removed into the infirmary on the 21st of February last, with scrophulous swelling or tumor under the knee; he had been subject to scrophula ever since he was two years old, (as he informed me); there were swellings in his neck which had broke, and his legs had scrophulous ulcers; he has been in the infirmary frequently before for the said complaints; he appeared to be doing well; on the same night he died, I am informed he ate his supper very heartily, and was in good spirits; I was sent for to him a little after twelve at midnight, between the 25th and 26th instant, he was then dead; he was in the infirmary, in a room with six or eight other prisoners; there was no mark of violence; for the last fortnight he was attended by myself, Doctors Hutchison, Roget and Latham; we suspect he died from the rupture of some blood vessel in the lungs, which must have been caused by some scrophulous swellings in the lungs."

Jⁿ Pratt.

John Hill, late of Royston, Cambridgeshire, a convict confined in the said prison, on his oath deposeth :—" The deceased had been in the infirmary about a month; he kept his bed for the last ten days, being very weak on account of the sores of his leg; there was a great discharge there, and also from his neck; the night before last about eight o'clock I gave him his medicine, he then seemed quite cheerful, that was the last time I saw him alive, but I heard him conversing with the prisoners for three quarters of an hour after; we had no thoughts of his being in danger; I went to bed about nine o'clock, in the same room with the deceased; I never heard him after; a light was in the room; about twelve o'clock I went to give the patients medicine, the deceased was in bed, the clothes were over his body, but his head was uncovered, and his arms out; he was dead, but not quite cold; I called the turnkey; the deceased was on good terms with all the other prisoners in the ward; when patients are considered dangerously ill, some one sits up all night."

(signed) *J. Hill.*

VERDICT :—That the said John Guest, on the 25th day of March in the year aforesaid, at the said prison, in the said parish, in the said liberty, in the county aforesaid, departed this life in a natural way by the visitation of God; to wit, in and by the rupture of a blood vessel in the lungs.

City and Liberty
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INFORMATIONS of witnesses taken this 29th day of March 1823, at the Penitentiary on Milbank, in the parish of St. John, on Frances Allcock, a prisoner.

Benjamin Chapman, governor of the Penitentiary, being sworn, saith :—" That the deceased was tried at Shrewsbury, on 17th March 1819, for housebreaking, and found guilty, and sentenced to be transported for life, and which was commuted for ten years imprisonment here; she was received here on 24th December 1821, from the Justitia hulk."

(signed) *B. Chapman.*

John Pratt, surgeon of the Penitentiary, being sworn, saith :—" That the deceased was removed to the infirmary on the 9th March instant, with diarrhœa, which continued till the 28th instant, when she died of that complaint; she had been frequently in the infirmary before, on the 4th June last to the 16th September, of the same complaint; and again on 3d October to the 11th, with inflammation on her lungs; and also on 26th November to the 5th December, of diarrhœa; and again on 7th December to the 3d January 1823, of the same complaint; she continued very well till 9th March, as above stated. She was attended daily by myself, and

and Doctors Hutchison, Roget and Latham; every thing was done that could be for her; she had fish, mutton, beef tea, bread puddings, sago, wine and brandy, in such quantities as I thought necessary for her; I have power to give all these without reference to any person, to prisoners in the infirmary; the deceased had some days as much as half a pint of brandy, and other times a pint."

(signed) *Jⁿ Pratt.*

VERDICT:—That the said Frances Allcock, on the 28th day of March in the year aforesaid, at the parish and in the liberty aforesaid, died by the visitation of God in a natural way, and not otherwise.

INFORMATIONS of witnesses taken this 2d April 1823, at the General Penitentiary, Milbank, parish of St. John the Evangelist, on Wilson Bragg.

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of Middlesex.

Benjamin Chapman, governor of the Penitentiary, being sworn, saith:—"That the deceased was tried at the Old Bailey on 6th December 1820, and found guilty of stealing a coat, and was sentenced to seven years transportation, and which was commuted to five years confinement here; he was received here on 6th January 1821, from Newgate; he was better than thirty-two years old."

(signed) *Benjamin Chapman*, governor.

John Pratt, surgeon of the General Penitentiary, being sworn, saith:—"That the deceased was removed to the infirmary on 28th February last, of diarrhoea, and which continued till 31st of March, on which day he died at half past two; he was attended daily by myself, and Drs. Hutchison, Roget, and Latham, and every means were made use of for his recovery; he was in the infirmary ten days in October last, of nausea and head-ach, and likewise from 30th November to 4th December, of same complaint; he had bread and rice puddings, and beef tea, veal, sago, eggs, wine, and brandy, and he took all these things to the time of his death; had he been a patient of mine, not a prisoner, I should not otherwise have ordered for him than I have done here."

(signed) *J. Pratt.*

VERDICT:—That the said Wilson Bragg, on the 31st day of March in the year aforesaid, at the parish and in the liberty aforesaid, died, by the visitation of God, in a natural way, and not otherwise.

INFORMATIONS of witnesses, taken this 15th April 1823, at the General Penitentiary, Milbank, in the parish of St. John the Evangelist, on view of the body of Louisa Comforth, aged twenty-six years.

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B. Chapman, governor of the prison, being sworn, saith:—"That the deceased was tried at Warwick, on 18th August 1821, and found guilty of felony, sentenced to transportation for life, and which was commuted, under the Act, to ten years confinement here; she was received on 26th November 1821."

(signed) *B. Chapman*, governor.

John Pratt, surgeon of the Penitentiary, being sworn, saith:—"That the deceased was removed to the infirmary on the 25th of January 1823, with violent spasms in her stomach and bowels, and which continued more or less until the 14th April last, when she died, and which were the cause of her death; she was attended at the beginning by Dr. Hutchison, and, for last six weeks, by Drs. Roget and Latham, and by myself three or four times a day during the whole; and every thing was done that could be thought of; she took considerable nourishment, and, from her violent and constant pain, it would fail to have the same effect as with prisoners in a better state of health."

(signed) *John Pratt.*

VERDICT:—That Louisa Comforth, on the 14th day of April, in the year aforesaid, at the parish and in the liberty aforesaid, died, by the visitation of God, in a natural way, and not otherwise.

INFORMATIONS of witnesses, taken this 15th April 1823, at the General Penitentiary, Milbank, parish of St. John, on Catherine Mooney, aged fifteen years.

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B. Chapman, governor of the Penitentiary, being sworn, saith:—"That she was tried on 1st March 1819, at Horsemonger-lane and found guilty of felony, and sentenced to seven years transportation, and commuted under the Act to five years confinement here. She was received here on 25th March 1819."

(signed) *B. Chapman*, governor.

John Pratt, surgeon of the Penitentiary, being sworn, saith:—"That the deceased was removed to the infirmary on 1st May 1822, with a scrophulous affection of

of the neck, which has discharged a considerable deal of matter from the said time until the 14th April instant, when she died, and of that disease, which had affected her lungs. She was attended by Doctor Hutchison at the beginning, and for the last six weeks by Doctors Roget and Latham. I attended her daily the whole of the time; and every means was made use of for her recovery, and she had every thing that I thought necessary. She was in the infirmary in December 1821 for the same complaint." (signed) *J. Pratt.*

VERDICT:—That the said Catherine Mooney, on the 14th day of April in the year aforesaid, at the parish and in the liberty aforesaid, died, by the visitation of God, in a natural way, and not otherwise.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Ann Martin, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of St. John the Evangelist, in the said liberty, in the county aforesaid, on the 21st day of April, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on view of the body of the said Ann Martin, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

Benjamin Chapman, governor of the said Penitentiary, on his oath, deposeth:—"The deceased was tried at the Old Bailey on the 26th September 1819, and convicted of stealing lace; for which she was sentenced to seven years transportation, which punishment was commuted to five years confinement in this Penitentiary; where she was received on 29th October 1819. She was then stated to be 21 years old, and in good health." (signed) *Benjamin Chapman*, governor.

John Pratt, surgeon to the said prison, on his oath, deposeth:—"The deceased was removed to the infirmary on 19th January 1823, complaining of want of power in her legs, so as not to be able to support herself long, and which disease gradually increased, and she became paralyzed; her stools and urine passed involuntarily; large ulcerations took place upon both hips, and erysipelas inflammation took place on the right thigh, which mortified and caused her death. Her sister, also is a prisoner, has informed me, that the deceased for about two years prior to her being in this prison, had lost the use of her legs. She was distorted in her spine, which must have brought on the disease of which she died. She was attended by Doctors Hutchison, Roget, and Latham (as well as by myself), and by Surgeon White. She died yesterday morning." (signed) *J. Pratt.*

Sarah Martin, late of the parish of St. Giles, Middlesex, and now a prisoner in this Penitentiary, on her oath, deposeth:—"The deceased was my sister; she was first taken ill with a cold in November last; she wrote for the doctor to admit her into the infirmary, where she was admitted three days after; she was soon after removed to the pentagon; she was again admitted into the infirmary in January; I was not allowed to remain with her until the 24th March; she became unwell soon after the short allowance was regulated, and was very indisposed at times until she was finally admitted into the infirmary; the diet affected her inside (as it did mine and also others); since the full allowance of victuals, there has been no reduction of it; the deceased hurt her back when she was about six years old, but when she recovered from that, which was about two years after, she continued in good health until the time before mentioned, when she was in this prison, and the short diet commenced; her illness was brought on through want, as she could not eat the victuals allowed her, and could not procure other victuals; she tried to eat the said victuals, but could not; she ate the soup as long as she could, but was unable afterwards to take it; this the people of the prison knew; as to the bread, she would not eat an ounce in three days, and the soup she could take none of it for weeks before she was admitted into the infirmary; the gruel was three-fourths of a pint once a day; the greatest part of this she drank; she had water allowed her." (signed) *Sarah Martin.*

Benjamin Chapman, the governor, called in, and further deposeth:—"According to the prison register, Sarah Martin (the prisoner examined), came here for receiving stolen goods. It is entered, that her character was good previously to her committing the said crime, and she has conducted herself perfectly well since her confinement here." (signed) *B. Chapman*, governor.

John

John Pratt, surgeon, called in, and further deposeth :—" The deceased was not admitted into the infirmary until January last."

(signed) *John Pratt.*

VERDICT :—That Ann Martin, between July last and January last, became unwell and disordered in her body, occasioned by the short allowance and the quality of the provisions given her in the said prison; that on the 19th day of January last she was removed into the infirmary thereof, complaining of want of power in her legs, so as not to be able to support herself long, and which disease gradually increased, and she became paralyzed; her stools and urine passed involuntarily, large ulcerations took place upon the hips, and erysipelas inflammation took place on the right thigh, which mortified and caused her death, which took place in the said prison, in the parish aforesaid, in the said city or liberty, and county aforesaid, on the 20th day of April, in the year aforesaid.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Jane M'Vickers, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of St. John the Evangelist, in the said liberty, in the county aforesaid, on the 21st day of April, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on view of the body of the said Jane M'Vickers, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

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Benjamin Chapman, governor the said prison, on his corporal oath, deposeth :—" The deceased was tried at Kingston in Surrey, on 23d March 1820, and convicted of highway robbery, for which she was sentenced to seven years transportation, which was commuted to five years imprisonment in this Penitentiary, where she was received on 8th May 1820; she was then stated to be thirteen years old and in good health."

(signed) *Benjⁿ Chapman*, governor.

John Pratt, surgeon of the said prison, on his corporal oath, deposeth :—" The deceased was removed into the infirmary on 9th December last, with inflammation on her lungs and violent cough, and which terminated in consumption, of which she died on Saturday last; she had been subject to scrophulous complaints, which I have no doubt affected her lungs, and brought on the decline; she has been in the infirmary ever since December last."

(signed) *J. Pratt.*

VERDICT :—That the said Jane M'Vickers, on the 19th day of April in the year aforesaid, at the parish aforesaid, in the said city and liberty in the county aforesaid, departed this life in a natural way by the visitation of God, (to wit) by consumption of the lungs.

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Thomas Brown, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of St. John the Evangelist, in the said liberty, in the county aforesaid, on the 25th day of April, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Thomas Brown, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

{ City and Liberty
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in the County
of Middlesex.

Doctor *P. Mere Latham*, of 3, Gower-street, Bedford-square, on his oath deposeth :—" I, together with Doctor Roget, have been in daily attendance on the deceased, since the first of March last, during which time he has been in the infirmary; he had at times, severe pain in his head, continually hurried and laborious breathing, and a very hurried and irregular circulation, and occasional attack of fever; there was something strange in his aspect, which indicated great suffering, so much so, as to induce me to anticipate an evil result of his disorder at a very early period of my visiting him, all these symptoms became more and more aggravated; three days ago he had a severer attack of fever than usual, and he died in the course of last night or early this morning; I consider he died a natural death."

(signed) *P. Mere Latham.*

Peter Mark Roget, of 39, Bernard-street, Russell-square, physician, on his oath deposeth :—" I have attended the deceased ever since he has been in the infirmary,

I have heard the evidence of the last witness, and agree perfectly with it ; I entertained the same opinion of the deceased being in great danger ; I should say, the prevailing symptoms were those of nervous irritation with fever."

(signed) *P. M. Roget.*

Benjamin Chapman, governor of the said prison, on his oath deposeth :—" The deceased was received here on 9th May last, from the *Justitia* hulk ; he was tried at the quarter sessions at *Coventry*, on 14th January 1822, and sentenced to seven years transportation, which was commuted to five years imprisonment in this *Penitentiary* ; when he came here he was stated to be twenty years old and in good health. All the above appears by the prison register."

(signed) *B. Chapman*, governor.

John Pratt, surgeon to the said prison, on his oath deposeth :—" The deceased's health continued very good until the 6th of January, when he was removed to the infirmary, complaining of violent pain in his head, which was accompanied with great nervous irritability, which continued more or less during his being in the infirmary ; some days he appeared much better, and then a relapse took place ; he was attended in the beginning by *Doctor Hutchison* and myself, and from the 1st of March by *Doctors Roget* and *Latham* ; every thing was done for him that could possibly be thought of, but he derived no benefit from any medicines which were given him, excepting for a day or two ; which disease was the cause of his death ; I visited him three or four times a day during the whole of his confinement in the infirmary ; his death certainly proceeded from a natural cause."

(signed) *Jn^r Pratt.*

VERDICT :—That the said *Thomas Brown*, on the said 25th day of April in the year aforesaid, at the prison aforesaid, in the said parish, in the said city or liberty, in the county aforesaid, departed this life in a natural way by the visitation of God.

City and Liberty
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in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of *Ann Adams*, at the prison called or known by the name of the *General Penitentiary*, situate in *Milbank*, in the parish of *Saint John the Evangelist*, in the said liberty, in the county aforesaid, on the 28th day of April, in the fourth year of the reign of our Sovereign Lord King *George the Fourth*, before me *John Henry Gell*, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said *Ann Adams*, then in the said parish, in the said liberty, in the said county, lying dead, as follows : (to wit)

Benjamin Chapman, governor of the said prison, on his corporal oath, deposeth :—" The deceased was tried at *Worcester* on 20th October 1818, and found guilty ; she was sentenced to fourteen years transportation, which was commuted to seven years confinement in this *Penitentiary*, where she was received 8th July 1819 ; she was then stated to be twenty-five years of age and in good health, as appears by the prison register."

(signed) *B. Chapman*, governor.

Peter Mark Roget, of 39, *Bernard-street*, *Russell-square*, physician, on his oath, deposeth :—" When *Dr. Latham* and myself were called in to attend the *Penitentiary*, which was on the 1st of March last, we found *Ann Adams* in the infirmary, labouring under rheumatism and disorder of the stomach and bowels ; she got apparently well, and went down on the 6th March ; on the 15th of that month she came up with a relapse of the same complaints, which went on sometimes better and sometimes worse, till her constitution, which was naturally weakly, at length sunk from the consequences of the disease ; her death, in my opinion, arose from debility, proceeding from the long and frequent illness she has had ; I understand she has frequently been in the infirmary at former periods."

(signed) *P. M. Roget.*

John Pratt, surgeon of the said prison, on his oath, deposeth :—" The deceased was removed to the infirmary the last time on the 15th March, with sickness and complaint of her stomach, accompanied by rheumatism, under which complaints she lingered until 27th April instant, when she died ; she had been frequently in the infirmary before, as much as eight times in the last two years."

(signed) *John Pratt.*

VERDICT :—That the said *Ann Adams*, on the twenty-sixth day of April, in the year aforesaid, at the parish aforesaid, in the said city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

INFORMATIONS of witnesses taken this 6th May 1823, at the General Penitentiary on Milbank, in the parish of Saint John the Evangelist, on Sarah Farley, aged twenty-six years.

{ City and Liberty,
of Westminster,
in the County
of Middlesex.

B. Chapman, governor of the said Penitentiary, being sworn, saith :—"That the deceased was tried on the 16th of October 1820, at Chichester, and found guilty, and sentenced to seven years transportation, and under the Act commuted to five years imprisonment in the Penitentiary; she was received here 30th October 1820. This is extracted from the Prison Register."

(signed)

B. Chapman, governor.

John Pratt, surgeon of the Penitentiary, being sworn, saith :—"That the deceased was removed into the infirmary on the 15th March last, complaining of violent pain in the stomach, and generally the whole of the body, which proved to be violent spasms, and accompanied with fits; and in which state she continued more or less until the 3d May, when she died; the whole of the time she was daily attended by Doctors Latham, Roget, Hutchison, and by myself; she got exhausted by the disease, which caused her death. In the whole of her confinement she was able to take all the nourishment which was directed to be given to her, consisting of veal, mutton, fish, puddings, wine, brandy, and beer; had she been a patient of mine in good circumstances, out of a prison, she could not have been otherwise treated. She was received here in a pregnant state, and was delivered of a child which afterwards died, but that had no connection whatever with her death. She has enjoyed good health ever since she has been in the Penitentiary, with the exception of the last six weeks."

(signed)

J^r Pratt.

VERDICT :—That the said Sarah Farley, on the 3d day of May in the year aforesaid, at the parish aforesaid, and in the liberty aforesaid, to wit, in the Penitentiary aforesaid, died by the visitation of God in a natural way, and not otherwise.

INFORMATIONS of Witnesses taken this 6th May 1823, at the General Penitentiary on Milbank, parish of Saint John the Evangelist, on Ann Williams, aged 32 years.

{ City and Liberty
of Westminster,
in the County
of Middlesex.

B. Chapman, governor of the said Penitentiary, being sworn, saith :—"That the deceased was tried at the Old Bailey, on 22d April 1821, and found guilty of stealing privately, and sentenced to seven years transportation, and under the Act commuted to five years imprisonment in the Penitentiary; she was received here on 3d June 1822, from Newgate. This extracted from the Prison Register."

(signed)

Benj. Chapman, governor.

John Pratt, surgeon of the Penitentiary, being sworn, saith :—"The deceased was removed into the infirmary on 3d April last, complaining of pain about the region of the heart, and which pains continued till her death, which took place yesterday; when the deceased was first received into the Penitentiary, her health, although apparently good, so as to prevent me rejecting receiving her, she was in an emaciated state from the irregularity of her life, but until about the 3d April she made no complaint; she was attended by Doctors Latham, Roget, Hutchison and myself, daily; and she had for nourishment, veal, mutton, fish, wine and brandy; and she was treated in every respect as any person out of a prison would be, who was in circumstances to command it; I suppose she must have had some inflammation about the heart."

(signed)

J^r Pratt.

VERDICT :—That the said Ann Williams, on the fifth day of May, in the year aforesaid, at the parish and in the liberty aforesaid, to wit, in the Penitentiary aforesaid, died by the visitation of God in a natural way, and not otherwise.

INFORMATIONS of witnesses taken this 19th May 1823, at the General Penitentiary Milbank, parish of Saint John, on Mary Venables, aged twenty years.

{ City and Liberty
of Westminster,
in the County
of Middlesex.

Benjamin Chapman, governor of the Penitentiary, being sworn, saith :—"That it appears by the prison register, that Mary Venables was tried at Warwick the 27th March 1819, and found guilty of felony, and sentenced to be transported for fourteen years, and which was commuted under the Act of Parliament to seven years confinement in this Penitentiary, and she was received here on the 9th July 1819, being then in a good state of health."

(signed)

B. Chapman, governor.

John Pratt, surgeon of the Penitentiary, being sworn, saith :—"That the deceased was removed into the infirmary on 1st April last, complaining of violent

pains in her head, accompanied with drowsiness, and which pain continued more or less till the 17th May instant, when she died. She was daily attended by Doctors Roget and Latham, and by myself three or four times a day, and every thing was done that we could think of for the restoration of her health; we suspect that there is a considerable effusion of blood upon the brain; her appetite continued pretty good; she had several blisters upon the back of her head and temples, and leeches constantly applied; at last she went off rather suddenly; my opinion is she died of apoplexy, she had all the symptoms of it."

(signed) *John Pratt.*

VERDICT:—That the said Mary Venables, on the eighteenth day of May in the year aforesaid, at the parish and in the liberty aforesaid, died by the visitation of God; to wit, of apoplexy, and not otherwise.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of Elizabeth Louton, at the prison called or known by the name of the General Penitentiary, situate at Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the 26th day of May, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me, John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on a view of the body of the said Elizabeth Louton, then in the said parish, in the said liberty, in the said county, lying dead, as follow: (to wit)

Benjamin Chapman, governor of the said prison, on his oath deposeth:—"According to the Prison Register, the deceased was tried at Northampton on 27th February 1819, and found guilty, and sentenced to fourteen years transportation, which punishment was commuted to seven years confinement in this prison; she was received here on the 11th October 1819; she was then stated to be sixteen years old, and in a good state of health." (signed) *B. Chapman*, governor.

John Pratt, surgeon of the said prison, on his oath deposeth:—"The deceased's health continued pretty good until the 15th of last February, when she was removed into the infirmary, with pains in her chest and cough, accompanied with diarrhœa; the diarrhœa gave way to the medicines which were prescribed for her, but the cough continued increasing, with a considerable expectoration of purulent matter from the lungs, which ended in consumption, and was the cause of her death; she died yesterday; she was attended by Doctors Hutchison, Roget and Latham, and by myself, and every thing for the purpose of her recovery was done that was possible."

(signed) *John Pratt.*

VERDICT:—That the said Elizabeth Louton, on the twenty-fifth day of May, in the year aforesaid, at the parish aforesaid, in the city or liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

City and Liberty
of Westminster,
in the County
of Middlesex. }

INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King, touching the death of William Dongworth, at the prison called or known by the name of the General Penitentiary, situate in Milbank, in the parish of Saint John the Evangelist, in the said liberty, in the county aforesaid, on the tenth day of June, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before me John Henry Gell, His Majesty's coroner for the said city and liberty; on an inquisition then and there taken on a view of the body of the said William Dongworth, then in the said parish, in the said liberty, in the said county, lying dead; as follow: (to wit)

Benjamin Chapman, governor of the said Penitentiary, on his oath deposeth:—"The deceased (according to the Prison Register) was tried at the Old Bailey, on 25th October 1820, and found guilty, and was sentenced to seven years transportation, which was commuted to five years confinement in this prison, where he was received on 23d November 1820; he was then stated to be about 19 years old, and in good health." (signed) *B. Chapman*, governor.

John Pratt, surgeon to the said Penitentiary, on his oath deposeth:—"The deceased's health was very good until the 17th February last, when he was removed into the infirmary, with diarrhœa, under which complaint he laboured until the time of his death, which took place yesterday morning at three o'clock; he was attended by Dr. Hutchison and myself, in the early part of his disease; and from the

the 1st of March, by Drs. Roget and Latham, and by myself, and every means was made use of for his recovery. He had as many as ten, twelve, sixteen, and eighteen motions a day; when in the infirmary, he had eggs, fish, and nourishing things, and for the last month a pint of wine a day; this illness proceeded from a natural cause."

(signed) *John Pratt.*

VERDICT:—That the said William Dongworth, on the 9th day of June, in the year aforesaid, in the said liberty, in the county aforesaid, departed this life in a natural way, by the visitation of God.

William M. Pitt, Esq. a Member of the House; further Examined.

THE Committee have seen, in a letter purporting to be written by you, dated "Dover-street, April 26th, 1823," and addressed to Dr. Hutchison, the following sentence:—"I have often lamented the jealousies and cabals amongst the officers, which, from an early period, have been too prevalent in the Penitentiary, and have led to a system of malicious tale-bearing, which I had always hoped would have been more discouraged;" that letter is your's?—It is.

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Esq.*

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The Committee wish to ask you, upon what grounds you have made this statement?—I had long been of that opinion, and am as much convinced of it at this moment as ever. I am aware, that so strong an expression requires to be supported by facts, or by strong grounds of suspicion. It is very unpleasant to me to be reduced to the necessity of stating, as one of the grounds of that suspicion, communications that I have received from Mr. Holford. Mr. Holford and I, during all the time we have been together on the Penitentiary committee, have been much in habits of communication; we have seldom disagreed on any points; but this is an exception. I have frequently received communications from Mr. Holford of information that he had received from prisoners, and from inferior officers and servants of the establishment, which have much surprized me; I have always, or at least very frequently, taken the liberty of stating, that I thought information of that sort was highly objectionable, and, as I have stated upon other occasions, that it was very detrimental to the discipline of the establishment. I have certainly conceived that his being so ready to lend a willing ear to such communications, operated as an encouragement to tale-bearing; the consequences of which, certainly, have appeared to me to have been disputes, cabals, or intrigues.

In reference to what you have mentioned, cabals and jealousies among the officers, to what particular officers do you allude; do you allude to them all generally, or to any specifically?—I mean to say it had a general tendency to encourage insubordination, and cabals and intrigues, amongst the officers.

Meaning, by that, between the governor and the turnkeys, the chaplain, the surgeon, the matron, and the steward?—I do not wish to apply it to any particular individual; but that a system of lending a ready ear to tales that are told by persons in those inferior situations, and especially from prisoners, was likely very much to diminish the respect those persons would pay to their superiors, and tended of course to insubordination from the inferior to the superior officers, and to diminish the respect with which the prisoners would hold their officers in general.

You continue the sentence as follows:—"With all the credit I am disposed to give to the visitors for purity of intention and zeal in the discharge of their duties, I must consider their not having effectually crushed such a system to have been detrimental to the discipline of the institution, and inevitably must be often injurious to deserving individuals;" is the latter part of the sentence, "inevitably must be often injurious to deserving individuals," a supposititious case, or can you state instances in which individuals have so suffered?—I have very little interfered or inquired into the particulars of those cases, and wish it to stand as rather a likely inference from such a practice.

When you mention the expression, "With all the credit I am disposed to give to the visitors," do you mean generally the visitors, or only Mr. Holford, as one of them?—Certainly, principally Mr. Holford, because I have had much more opportunities of knowing what he has done as visitor, than what any other gentleman has done.

Do you know how long it is since Mr. Holford ceased to be visitor?—No, I do not.

He is not visitor at present, is he?—I am not aware that he is.

Do you happen to know whether, for two years preceding the 25th of March last, Mr. Holford had been visitor?—I really do not know.

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Of what nature were those tales?—I assure the Committee I paid very little attention to them, and therefore can hardly tell the nature of them. A story perhaps was told Mr. Holford by some prisoner, or some inferior officer; he has mentioned to me, “I hear so and so; such an abuse appears to be going forward;” but I shall get some further information;” or to that effect. I always turned rather a deaf ear to these observations, thinking it an erroneous system, and that it was not likely to contribute to the good of the establishment.

What was the nature of those tales?—Complaints.

Complaints against the turnkeys or the officers, that the officers had misconducted themselves, or that they had given them some indulgence, or of what kind?—Of various kinds, but I really paid little attention to them.

Supposing a prisoner had complained to you of the conduct of an officer, should you have thought yourself bound not to attend to that complaint?—Certainly not.

Do you not think Mr. Holford was equally bound to attend to any complaint any prisoner made to him?—Certainly, he was bound to attend to complaints that were made.

Would not you, as director, have thought it necessary to confront the person making the complaint, with the accused?—Yes, certainly.

Do you mean to say, that on any complaint against an officer, that was omitted to be done?—Most certainly not.

If a prisoner stated to Mr. Holford, that work was done in the prison without proper authority, or without being properly charged, for the private benefit of an officer, do you or not, think Mr. Holford ought to have taken that complaint?—Certainly, it ought to have been inquired into.

Was not that the case with the first matron recommended by you, and was not there a long inquiry; were not officers examined upon oath, upon the subject, and was not the charge proved to the satisfaction of the committee?—I am exceedingly sorry that case should have been mentioned; I am afraid my honourable friend means to infer from it, that the reasons of my having stated what I have stated in that letter, arose from a recollection of the circumstances of that case; I can only say at this moment, that I was not convinced that it was true, and that to this moment I believe it was not true, that there were no grounds for charging any criminality against the person alluded to.

Do you know whether, in forming that opinion, you differed from the rest of the committee?—I differed from Mr. Holford I know, and I believe from a considerable number of the committee, because the intention of dismissing that matron was announced, unless she rendered it unnecessary by a previous resignation; I certainly advised her to resign, but not from thinking her guilty.

Was not Sir Archibald Macdonald in the chair at the time that inquiry took place?—I believe he was, but I am sure I do not recollect.

[The witness was desired to withdraw.]

[The witness was again called in.]

What were the officers, as to whom any tales that ought not to have been believed, were brought by Mr. Holford before the committee?—Having already stated, that I paid very little attention to the stories, that I heard them always very unwillingly, and disapproved wholly of the system, it cannot be expected that two, three, four, five, six or seven years after, I should remember the names of all or any of those officers who have been so dismissed or suspended; I know little or nothing of the particulars; all I can say, is, that my opinion has been, that Mr. Holford has certainly favoured that system of making private inquiries, or receiving private information. I think it stands to reason, that such a course must produce bad effects; and my opinion has always been, that it was an erroneous system of discipline. I did not mean to particularize any particular case; however, as Mr. Holford has thought proper to bring up the case of the matron, I think it is due to myself, and to that lady, to speak out a little more freely. I would first mention, that Mrs. Chambers, the person in question, has been known to me between thirty and forty years; her father was a very respectable solicitor and clerk of the peace of the county of Dorset; at his house I used frequently to meet his daughter, and have known her from that time to this. I have always had a very high opinion of her; I believe her to be a woman of most strict integrity, and most correct conduct. As well as I can charge my recollection with the story which caused her dismissal, it was this: her daughter was about to be married to the son of Mr. Pratt, the surgeon of the Penitentiary; there was some furniture which she wished to have made

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made up; one, two or more female prisoners having told her that they had no work to do at that moment for the establishment, volunteered to make up this furniture; some thread belonging to the establishment, part of the stores of the establishment, was made use of by those female prisoners in making up this furniture. I think I recollect that the value of the thread was inquired into, and as well as I recollect, also, it did not amount to two shillings. Mrs. Chambers, as I understood from her afterwards, gave those women a certain quantity of thread, which was supposed to exceed in value the quantity they had so used; and I really thought that that charge had been entirely laid aside. There was also a second charge brought against Mrs. Chambers for stealing a Bible. A certain number of Bibles, I think, had been distributed amongst some of the officers of the establishment; Mrs. Chambers understood that it was a present from the Penitentiary. Upon her daughter's marriage, she made her a present of that Bible which she had received from the Penitentiary; and that was the second charge brought against her. I never heard of any other. I certainly gave no credit at all to the charges against her; I believed then, and though I have not mentioned it before, I believe still, that Mrs. Chambers was the victim of a plot; and I am very sorry to say, but I now will bring it forward, that I impute very much Mrs. Chambers's losing her situation to the conduct of the Reverend Mr. Bennett, who professed to me a great deal of friendship for Mrs. Chambers, but who I afterwards had reason to believe had not been sincere. I am very sorry to lay such a charge against Mr. Bennett; I have never mentioned it before, except confidentially to friends; but I think myself now under the necessity of stating, in proof of the grounds upon which I have had those suspicions, that I think Mrs. Chambers is one instance of the ruin of an officer from intrigue and plot; and I think the case, now before the Committee, of Mr. Hutchison, seems also to savor very much of plot and intrigue.

Was Mrs. Chambers dismissed in consequence of any report of Mr. Holford, or representation of information received by him from other persons, or on a regular inquiry in which officers were regularly examined upon oath, Sir Archibald Macdonald being in the chair at the time?—Six years have elapsed since the transaction took place, it was in the year 1817, and I never heard of any person having been examined upon oath upon the subject, before Sir Archibald Macdonald, to the best of my recollection.

Do you mean that no examination took place, or only that it was not an examination on oath?—That there was an examination, and a discussion in the committee, I perfectly recollect; and I also perfectly recollect to my great surprize, that a majority of the committee were of opinion that Mrs. Chambers should be dismissed; Sir Archibald Macdonald, upon my speaking to him upon the subject, told me that he rather recommended that she should give in her resignation, instead of running the risk of being dismissed; I gave her that advice, and she followed it.

Do you know whether there are any records of that evidence now in the Penitentiary?—I do not; most likely there are.

Does any part of your statement of Mr. Holford's belief of tales, apply to the case of Mr. Hatch, the steward?—I certainly expected to have the case of Mr. Hatch also brought forward for the same reason; Mr. Hatch, the steward, was certainly proved to have embezzled or at least to have misapplied some money belonging to the Penitentiary in his hands, and therefore I considered Mr. Hatch's case as not at all to be defended; and when Mr. Hatch pleaded to me how cruelly he thought he had been treated, I told him, you have done wrong, and I cannot say one word in your favour; and I refused to plead Mr. Hatch's cause; but I must say, that I certainly think Mr. Hatch had very hard treatment, for his accounts had never been examined or looked into in any regular way, or passed, from the time he was first appointed at the first opening of the Penitentiary till that time. He had repeatedly said to me, how hard it was that his books were not examined; still they were not; at last he was applied to to make up his accounts, and a very short time allowed him to do it; I remember his telling me that he was up till twelve o'clock and one o'clock and two o'clock in the morning, night after night, to make up those accounts, and that it came at a most unfortunate moment, for that he had involved himself in difficulties, which would not have been the case, had he not expected that no inquiries would be made as to the state of the accounts for some little time, which would have enabled him to provide the means of replacing those monies which he had very improperly expended, belonging to the Penitentiary.

Do you happen to recollect, whether the principal charge against Mr. Hatch, and that upon which evidence was first taken, was not a complaint by tradesmen

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with whom the committee of the Penitentiary dealt, that unless they would lend Mr. Hatch money, they had no chance of serving the Penitentiary; do you recollect whether any examination took place upon that subject?—I really do not recollect the particulars; but I have a faint idea that there was some information of that sort received.

Do you recollect whether the ground of the dismissal of Mr. Hatch, whatever it was, was inquired into before the committee at large, and not founded on any statement or report by Mr. Holford?—I know not upon whose representation the inquiry took place, but I always conceived that the matter had been brought very regularly before the committee, had been very properly and deeply inquired into by the committee, and that the committee were perfectly right in dismissing Mr. Hatch, in which dismissal I also concurred.

As Mr. Holford is not aware of any officer respecting whom his opinion and yours have been different, can you state any person who has been injured in the opinion of the committee, or dismissed in consequence of any report or representation of Mr. Holford not inquired into?—I can mention no particular name; I have no recollection of any.

Do you not believe it to be the duty of a visitor, if statements are made to him by any officer or any prisoner, which tend to involve the character and conduct of any officer of the Penitentiary, to bring them before the committee?—If the visitor considers the charge as well founded, I should conceive certainly it is his duty.

Supposing the visitor to have a doubt upon the subject, is it not then his duty?—I should think probably it was.

Can you recollect any instance in which Mr. Holford ever brought a statement or report of an officer before the committee, which appeared to be frivolous and groundless?—I really do not recollect.

Within what time does the supposed listening to complaints on the part of Mr. Holford relate?—I think very shortly after the first opening of the Penitentiary.

How late does it reach, to the time of Mr. Holford ceasing to be visitor, or since that?—I cannot tell that; Mr. Holford never received any encouragement from me to mention those circumstances to me, and I do not recollect that he has within the last year or two, or perhaps longer.

In what way were those tales told; did the prisoners or the inferior officers come to Mr. Holford, or did he go about fishing for them?—I do not know.

Was it customary to administer oaths in the committee room, and if so, by whom are they administered; was it done by any person being a magistrate?—I never recollect the circumstance occurring.

Is it customary to corroborate any information received by a visitor by the testimony of some other party before it is laid before the committee?—I really do not know what the practice may have been.

Would you have done that yourself?—I never recollect bringing forward any complaint myself; I suppose every gentleman adopted such plan as appeared to him to be fair, and according to established usage.

What is your objection, in principle or in result, to a visitor of a prison going into every cell, and to every part of that prison, with his ears open to receive every complaint, in order to state those complaints afterwards to any body who has the power of redressing those complaints?—I am afraid the day would be hardly long enough to dispose of those complaints.

What is the objection to the practice?—I have always remarked, that if much encouragement was given to persons to make complaints, complaints would be very frequently made, and very frequently be found frivolous; I have found that very much to be the case in our gaol at Dorchester; when there has been any great encouragement given to people to come and make complaints, complaints have been made, and on being inquired into, nineteen out of twenty perhaps, have been found not to have any foundation whatever, but to have been brought forward from motives of malice, or to take the chance of blame resting on the gaoler or some other party.

Is not the result likely to be, that if complaints are proved to be frivolous generally, fewer complaints will be made?—I can only say generally, that my opinion, really founded upon the experience I have had, has been, that that system has not seemed likely to produce proper discipline and subordination in a place of that sort.

You

You are one of the visitors of the Dorchester gaol?—I have been so many years.
When you visit the gaol, in your capacity of a visiting magistrate, do you uniformly shut your ears against complaints?—On the contrary, I am always ready to hear any.

Then in what do you differ from Mr. Holford, who went his circuit round the prison for the same purpose?—When I go into the prison at Dorchester, the prisoners generally, if they have any thing to complain of, come to me and make their complaints, but I do not go and inquire of prisoners individually what complaints they have to make. I do not pretend to say that Mr. Holford adopts that practice; but I have always conceived that the prisoners at the Penitentiary thought that Mr. Holford had a strong disposition to hear any complaints that they might think fit to make to him; it is rather a nice distinction perhaps; but I have been rather considered at Dorchester as not very anxious to collect that information, and Mr. Holford has been rather supposed to be desirous of collecting it; that seems to be the difference.

Did you ever go round the prison with Mr. Holford, so as to have an opportunity of seeing whether he showed any anxiety to receive the complaints of prisoners?—I have often gone round with Mr. Holford, and never was witness to that practice; but he knows very well I have often expressed to him, that I believed that was the general opinion in the Penitentiary, that he was very desirous of hearing every kind of complaint that could be brought forward.

Do you mean complaints of the prisoners of grievances which they had to make against the officers of the establishment, or complaints of one officer against the other, turnkeys against taskmasters, and taskmasters against the governor, and *vice versa*?—I can only repeat, that I paid very little attention to those communications; but certainly very frequently I have heard of complaints of one officer against another.

When you were visitor, were those complaints of the officers against each other frequently made to you?—I was only visitor, I think, for about six weeks, during the whole time that I was a member of the committee, and that was, I believe, in the year 1816, or very early in 1817.

In those six weeks, were any complaints made to you by officers against officers?—I do not recollect any complaints.

Supposing that any complaints had been made to you, what would have been the step you would have taken?—I should naturally have inquired into the grounds of the complaint.

From the parties accused?—Yes.

You would have heard both sides?—I would have heard both sides.

Should you have done that before you communicated with the committee?—I certainly should.

Should you have made a report of the proceedings that you had been engaged in, whether of acquittal or of censure, to the committee?—I should probably have endeavoured to have settled the matter with the parties if I could; if I could not, I should have thought it my duty to have reported the matter to the committee.

If you had so settled it, should you have communicated the settlement of it to the committee?—I believe one of the rules of the establishment required me so to do, therefore I certainly should have done it.

You have stated in your evidence, that Mr. Bennett, the chaplain, had, in your opinion, not been a sincere friend of Mrs. Chambers?—I believe so.

What ground have you for thinking that he was not?—Mr. Bennett professed to me a great deal of good will towards Mrs. Chambers, and I really supposed her in no danger; when the matter was brought to a close, I certainly did not think that Mr. Bennett had acted towards me with sincerity; I thought he had professed a friendship which he did not feel, and not acted up to it, and I therefore conceived that he was so far implicated as to have favoured the plot or intrigue against her.

Had Mr. Bennett any thing to do with the measure against Mrs. Chambers?—I believe not; he communicated with me upon it, and we had several conversations upon the subject.

Had he any thing to do with the examination into the charges?—It is so long ago, I really can hardly tell; but I think it is very likely with respect to the Bible; it is probable that the Bibles may have been delivered out to the officers by the chaplain; but I do not know that it was so.

Do you know whether Mr. Bennett was a witness in the examination of the charges?—After six years, I cannot take upon myself to say.

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Was he a judge; was he a committee-man?—No; he had no vote.

Then in what way could Mr. Bennett have acted with insincerity, if he neither made the charge, nor was a witness to the charge, nor tried the charge?—I certainly expected that Mr. Bennett would have spoken of Mrs. Chambers in such terms, as would have most clearly proved his total disbelief of any thing improper having been done by her; whether he did or did not, I cannot tell, but I always bore in mind that Mr. Bennett then was not a friend to Mrs. Chambers.

Supposing Mr. Bennett had been a friend of Mrs. Chambers, and had thought very well of her, and that evidence had come to his knowledge to alter his good opinion, do you think that he would not have been justified in retaining that opinion, and expressing it to the committee?—Most certainly not; but I should have thought it would have been candid in Mr. Bennett, to have mentioned such circumstance to me.

Then the Committee understand that your opinion of the insincerity of Mr. Bennett rests in his not having mentioned what he knew of Mrs. Chambers to you, his change of opinion of Mrs. Chambers's conduct, because you have told the Committee already you do not know whether he gave any evidence against her or not?—I do not know that he gave any evidence for or against her.

Then your opinion of Mr. Bennett's insincerity rests only on his not having communicated with you upon the subject?—Very much.

You have stated, that the conduct pursued with respect to Mrs. Chambers, savoured very much of plot and intrigue; do you refer to Mr. Bennett's conduct as savouring very much of plot and intrigue?—I conceived that Mrs. Chambers had many enemies, and the result convinced me that she had, and that Mr. Bennett was no friend to Mrs. Chambers.

Was Mr. Bennett ever consulted as to the appointment of any of the subordinate officers in the Penitentiary; was his recommendation ever followed?—It may; I do not know that it was.

Did Mrs. Wilkinson succeed Mrs. Chambers?—No; Mrs. Sharpe.

Do you know whether Mr. Bennett was in any way connected or acquainted with Mrs. Sharpe, so as to raise a reasonable suspicion that he was interested in removing Mrs. Chambers?—I do not know.

Is not Mr. Bennett, as the chaplain, in point of fact, one channel of communication with the prisoners to the committee, to the governor, and to the visitors?—I suppose so, certainly.

In point of fact, do not the prisoners open their hearts and minds to him most freely?—I cannot tell from my own knowledge; it is very natural to suppose that they do.

Do you not think that he knows more of what passes in the mind of every prisoner in the Penitentiary, than any other person within it?—I should think so, decidedly, from the nature of his office.

Does it appear to you also, from the nature of Mr. Bennett's office, that he has any influence with the committee, or with any members thereof?—Most undoubtedly; he must have great weight and influence with the committee. I think it is highly proper, that whoever holds the office of chaplain of that or any other institution, should have the greatest possible weight with the governing powers.

Then you are to be understood, that when he distinctly told you that he was a sincere friend to Mrs. Chambers, always holding that a man in his situation must have great influence with the committee, you naturally expected that he would have been her advocate there?—I certainly expected it.

And you have reason, as an honest man and an English gentleman, to believe, that he fell from that upon that important occasion?—Mr. Bennett certainly did not realize to me the hopes I had entertained of his taking up the cause of Mrs. Chambers, whom I considered as an injured person.

Was not the ground of your displeasure in regard to Mr. Bennett, that Mr. Bennett refused to be the adviser to the committee, to overlook what had passed?—If I had thought that what had passed had been in any degree wrong, I should have considered myself acting a very base part indeed, if I could have proposed to Mr. Bennett to take up such a cause.

What means had Mr. Bennett of knowing whether the evidence before the committee was, or was not conclusive against Mrs. Chambers?—The conversations that took place between Mr. Bennett and me, I believe, were previous to the decision of the committee, and probably to any examination before the committee.

Did you expect Mr. Bennett should interpose to prevent inquiry, or intercede with the

the committee after inquiry had taken place?—As far as I remember, Mr. Bennett appeared to me to coincide with me in opinion, in considering the accusation as futile.

*W. M. Pitt,
Esq.*

(June 16.)

Is it supposed that Mr. Bennett had examined all the officers, that were examined before the committee?—Mr. Bennett, as well as myself, might form an opinion upon the probability or improbability of the story; and as we were speaking together as friends, he might express to me his thoughts of the truth of the charge, as I did to him; and I thought that he appeared to me to be so convinced of the want of reality of the accusations against Mrs. Chambers, that I really thought the charge probably would be dropped, and would not be proceeded with.

Do you suppose that depended at all on Mr. Bennett, or on the members of the committee who had brought forward the charges in the committee?—Certainly, it depended on the members of the committee; but a favourable representation from Mr. Bennett, were he convinced of the innocence of the party, would I suppose have great weight with every member of the committee; I know it would with me.

Could you believe, that a committee formed as the committee of the Penitentiary is, with the names of some of the most respectable and distinguished members of Parliament, members also of the established church, would have, contrary to the opinion of Mr. Bennett, entertained for one single moment, a charge against a respectable woman, for stealing 2s. worth of thread, which it is represented that she afterwards returned, and a Penitentiary Bible; that appearing to be the whole of the charge laid against Mrs. Chambers?—I never heard of any other charge being laid against Mrs. Chambers, but those two.

Did you ever hear that a part of the charge against Mrs. Chambers was, that her own washing and mangling was done in the prison, and that it was becoming the practice for all the superior officers to have their washing and mangling done in the prison, contrary to the rules?—I think I recollect an objection being started, that the washing of the officers in the laundry was improper, and I rather think that the rule had been then made to prevent it in future; but I do not precisely recollect whether the rule preceded the inconvenience, or the inconvenience preceded the rule.

Was it not a part of the charge against her, that she had done this, or permitted it to be done, without consulting the visitor, when she stated that she had some doubts in some part of the transaction?—I do not recollect the details of that circumstance.

Was she ever warned of having so done, and required not to infringe the rules again?—I must repeat, that I do not recollect the details of that circumstance.

Martis, 17^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

James Johnson, M. D. called in; and Examined.

YOU are a physician?—I am.

Were you ever in the navy?—Yes, I was.

How many years?—About seventeen years.

Serving in different parts of the globe?—Yes; in the East and West Indies, the Mediterranean, and the North Sea.

During that period had you many cases of scurvy under your notice?—Yes, I had, both in cold and in hot climates.

Of course the Committee understand you to be practically conversant both with the nature of the disease, and the treatment by which it is attached?—Of course.

Have you been round the Penitentiary?—Yes; I have been round it, yesterday and to-day.

Did you see all the sick that were there?—The greater part of them; not all; I saw at least two-thirds of them.

What was the state in which you found them?—I did not direct my attention to any but those who had the bowel complaints and scurvy; the scorbutic cases were very few, indeed, merely the relics of the disease; but the bowel complaints were very numerous.

Dr. Johnson.

(June 17.)

Dr. Johnson.

(June 17.)

Should you consider those bowel complaints as connected with the original disorder, namely, the scorbutic attack?—I think it is a difficult thing to say precisely on that point, because I have seen dysentery, or flux, which is a degree of dysentery, with scurvy; I have seen it without scurvy; I have seen scurvy without dysentery and with it. I have seen many more cases of dysentery and scurvy uncombined than combined; and consequently I am not prepared to say, that, because they are contemporaneous, they are to be put in the light of cause and effect; the same causes which would produce scurvy at one season of the year, or among one class of patients, would produce other features of the same disease, dysentery, at another season, or in another class of patients. At the same time, I do believe that scurvy pre-disposes to the bowel complaint in many instances.

Did the disease appear to you to be on the decline?—That is a question I cannot exactly answer; I am told by the medical men that the numbers entered there are not so frequent as before; but with respect to the existing state of those patients, they are, I might say, all mending; there are a few who have just entered within these two or three days; of course they are under medicine, and the medicine has not taken its effect; yet, consequently, the disease goes unmitigated in those few recent cases; but they will also come to the same point which the others have come to, from the treatment under which they are.

Were you made acquainted with the medical treatment?—Yes, I was.

What was that medical treatment?—It was a mercurial treatment, combined with opium and ipecacuanha principally.

Is that a treatment you have been accustomed yourself to use?—It is the only treatment which I have ever seen effective in any climate with similar complaints, both in hot climates and in cold.

Do you consider the use of mercury to an extent to affect the gums as forming a part of that treatment you have just described?—It is not to be relied upon if it is not carried to the extent of salivation, of affecting the mouth, for that is an index that the whole system is affected, and the bowel complaint of course gives way as soon as that criterion is established.

The Committee understand, that this is the practice which you have yourself used in all climates, and found a successful one?—It is a practice which I have employed for many years; when I first began that practice I vacillated considerably in the mode of practice, but as my experience increased, my conviction increased that this was the best practice.

Have you ever been accustomed to administer the citric acid in any quantities?—I have in scorbutic cases.

The Committee understand you to draw a distinction between scorbutic cases without diarrhœa, in which you administered that remedy, and scorbutic cases with diarrhœa, in which you did not administer it?—In a great number of cases where I have had occasion to administer citric acid, it has been in cases where there was scurvy uncombined with bowel complaints; I have also given vegetables and citric acid in cases where it was combined with bowel complaints, and in some of them it would not agree with the bowels, in others it would, so that I could not draw any very material inference on that point.

Of the two practices, where the disease is one of diarrhœa, you consider the mercurial practice as one more efficacious than the other?—In every kind of bowel complaint, from the common diarrhœa to the regular dysentery; and those complaints in the Penitentiary, as far as I have seen, have assumed all the grades between those two points, they have appeared to labour under all the intermediate grades, and in all those grades I consider the mercurial practice as, upon the whole, the best moderating or modifying treatment, according to the degree of the disease, but not changing the principle of the practice.

Do you think that the combination of dysentery with scurvy does not preclude the use of mercury?—In cases where the scorbutic diathesis was very strong, for instance, where they could scarcely sit up in bed, where the hands would be contracted, the gums spongy and bleeding, and very difficult of breathing on the least exertion, and if such a case were combined with dysentery, I should hesitate in employing mercury, at least to the same extent as I would where the scorbutic affection was less, I would trust then more to opiates and absorbents, together with nutritious food, until the scorbutic diathesis was somewhat subdued, then I would pursue a mercurial plan to remove the dysenteric affection.

Is there any case similar to that you have described existing now in the hospitals of the Penitentiary?—No; no case have I seen of scorbutic diathesis at all prominent

minent; there were only some spots on the skin, and some sick merely of the former affection, but very few even of that; so that the scorbutic diathesis in the Penitentiary to me appears now very trifling indeed.

Dr. Johnson.

(June 17.)

Would the appearance of scurvy be likely to be more evident in the winter than it would in the summer months?—In cold climates the winter is the season for scurvy; in hot climates it will prevail at all seasons where the men are kept long on salt provisions, or are subjected to the depressing passions; I do not conceive that scurvy is necessarily produced by salt food, or even low diet, for I have seen it take place where men were on fresh provisions, and a sufficient abundance of those provisions; but from certain moral causes, from the depressing passions, disappointment.

Persons who have been long on shipboard?—Yes, or who have been considerably chagrined in respect of prizes; a very strong instance occurred in the year 1806, in the East Indies; three line-of-battle ships sailed from Madras in October for Batavia, they were highly elated with the expectation of capturing the Dutch fleet, they were entirely disappointed, and in a very few days after they arrived at Batavia they were seized with scurvy, with dysentery, and with liver complaint, and those three ships, the Russel, the Powerful and the Albion, lost a hundred men in the course of two or three months, of scurvy and scorbutic dysentery.

Were they well supplied at that period with fresh provisions?—They had the usual supplies that all ships on the station had; there was lemon juice, and they took out the same quantity of live stock as other ships did on similar cruizes, and they were in the habit frequently of getting vegetables, and not exactly fresh meat, but this was within three months; they were frequently in the habit of getting vegetables off Batavia, with other ships off the same station in the East Indies, that were not subject to those vicissitudes; the moral emotions were not affected.

Have you ever yourself, employed mercury for dysentery where there was scurvy?—I have done it where there were slight scorbutic affections, and I have known others do it where scurvy was very strongly developed; there is a journal which I examined some few years ago, of the Lancaster of sixty-four guns, off the Isle of France, the ship was affected with scurvy and dysentery; I read in the journal of Mr. Thompson, the surgeon, at the victualling office many years ago, a statement of his having employed mercury in very large doses, so as to have produced salivation in a variety of cases, and he stated, without any materially bad effect, though he was very much afraid of giving it at first, under such a strong scorbutic diathesis; I do not think it would be desirable to give it where scurvy was strongly developed, but in the milder grades of scurvy, I should not allow a bowel complaint to go on without giving mercury to check it.

From what you have seen in the Penitentiary, do you consider that that practice has produced a good effect?—Almost uniformly, and in more than thirty-nine cases out of forty, the effect was a cessation, or nearly a cessation of the bowel complaint, as soon as the mouth was affected.

Do you consider the dysentery in the form, such as you have described it, to be contagious?—I do not; I have never seen it contagious, neither in this climate nor in hot climates; at the same time I do not deny the possibility of such a thing occurring in badly ventilated apartments, where there were people crowded together, and cleanliness not observed; such a thing may exist, but I have never seen it.

On board a ship, of course, even in the best managed ship, they must be much more crowded and confined, than in the common hospitals in this country?—Of course, they could not have the accommodations they have in a hospital.

Under those circumstances, even with the use of the common privy on board ship, you never found it contagious?—I never saw an unequivocal instance of dysentery being communicated from one individual to another, either on board a ship or on shore.

Are you aware that some of the officers of the Penitentiary have recently had the complaint?—Yes, I have heard that some of them have had the same complaint.

Should you consider any fact of that kind, supposing that those officers were in the habit of using the same privy with the men that were diseased, as demonstrating that the disease was infectious?—I would not consider that as the case; if an officer, for instance, the porter, used the same privy that one of the men confined under dysentery was using, and he afterwards became affected with dysentery, I would not consider the *post hoc ergo* proved, for it is contrary to the general nature of the disease,

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disease; I should rather suspect that he had been subjected to some of the same causes that had produced it in others.

What should you consider to have been the cause of the complaint which has existed so long in the Penitentiary?—I think it is exceedingly difficult to determine all the causes that may have combined to produce this complaint; I think it is highly probable that a defect of nutriment, if it did not cause the disease, strongly pre-disposed those who used that defective plan of nutrition, to the general causes that produced it; but I am not prepared to say that this was the sole cause, and one reason for my not being prepared to say so is, that some recent cases have taken place, where the men were not more than six weeks or so in the Penitentiary; and consequently, they could not have been much, if at all, under the influence of the reduced plan of nutrition; the causes of all these endemics and epidemics are very obscure, and I think we are seldom able to ascertain the real or original cause; errors of diet, or various other circumstances will predispose; but it is a case in which neither will actually produce the disease, without some aerial or terrestrial causes operating at the same time.

Do you think there is any thing in the local situation, that is likely to create the complaint?—I am not prepared to give a decided opinion upon that subject, for I have not examined it with accuracy; it certainly appears to me to have been a swampy low ground where the Penitentiary is built; but still the nature of the houses, the pavements, and the draining that has taken place since, would induce me to pause before I said it was an unhealthy site.

Should you attribute much to the operation of what may be called moral causes?—I should, I consider it is exceedingly likely; and that is the distinction between the officers; there has been a pretty general exemption of the officers, though one or two have suffered; and I consider that that exemption has been owing as much to moral as to physical causes, as much to the state of their mind as to the quantity of their food.

Are you aware that a greater number of persons in the second class have been affected, than of the first, those who have been longer in the establishment?—It was so reported to me by the physician; and also that those who were in the upper apartments, and subject to a greater degree of cold in the winter, were more affected, than those in the warmer and lower apartments.

Were you in either of those three line of battle ships you have referred to?—No; but when I was publishing a work on the diseases in the tropical climates, I examined the journals of the surgeons at the transport office, and from the journals collected this information.

Do you know whether they had plenty of lime juice or lemon juice on board?—I was in India within a very short time of their sailing, and I know that all the ships on that station were very well supplied with vegetables, and we had lemons supplied us by the East-India company at Calcutta, and preserved limes mixed up with sugar.

Were you employed in any ship at that time?—Yes, I was.

Do you know whether the surgeons did employ lemon juice, as was latterly done in abundance?—As far as I can collect by their journals, they employed every antiscorbutic remedy that came in their way; but there were a hundred men died, and a great number sent to the different hospitals on their return to Madras.

What is the difference between a dysentery, and what is usually reported to the captain of a man of war as a flux?—I think they are all grades of the same disease; and there are innumerable grades between the two, that admit of no definition.

Do not you know, that the surgeons on board ship generally imagine that the flux is catching, and order very great care to be taken of the privies?—Not within the last twenty years; the opinion has been discarded almost in toto, by the wide experience of the medical officers in the navy; the opinion has almost entirely given way amongst those who have the greatest experience; those who carried prejudices with them from the schools, have used those precautions.

Are you of opinion, that this complaint which now prevails in the Penitentiary, is or is not infectious?—I do not think it is infectious.

Have you examined any of the recent cases?—I have.

What effect do you think change of air would have on many of those patients?—It has a good effect on almost all complaints.

It would have a good effect on many labouring under these complaints?—Yes; I have no doubt it would prevent many relapses, and materially assist many who are now labouring under this disease.

What

What food have they?—Principally farinaceous food, according to the degree of the complaint.

Did you examine their mouths?—Yes.

Did not you find the mouths of many of the patients very much affected?—I suppose nine-tenths of those now affected, are now under the influence of mercury; their mouths are more or less affected; those nine-tenths say that their bowels are very comfortable; nearly well.

Do you think you could form a more correct idea of the complaint, if you were to examine the body of one of the patients?—I could form an idea of course of the immediate causes of death, such as the ulcerations of the bowels; but those ulcerations are the effects of the disease, and not the causes.

Did you see the body of a patient who died yesterday?—I did not; I mean to see it to night, it is kept for the purpose; but I have opened the bodies of many who have died of this complaint; a great majority have ulcerations of the bowels, what I should consider the effect of disease.

Do you know whether it is intended to open that body?—It is opened; it was opened this morning before I got to the Penitentiary.

Would you prescribe oranges or lemon juice, if you could have both?—I should be inclined to prefer the lemon juice.

Would you, in the beginning of such cases, have prescribed mercury along with the lemon?—I cannot tell to what degree they were affected with the scurvy; in very bad cases of scurvy I should hesitate in giving mercury; but I should endeavour to get the scorbutic symptoms reduced, and then, if the bowel complaint has persevered, I should not hesitate, in that case, to enter cautiously on the administration of mercury, combined with other means.

What proportion of patients are there in the Penitentiary now that are afflicted with scurvy?—Very few indeed; I do not think I saw more than four cases, and I examined upwards of two hundred, and they are very slightly affected, merely spots on the skin, without any or very little swelling about the hands.

The rest were all cases of diarrhoea, in a greater or smaller degree?—Yes; in the rest I could see nothing but the bowel complaint.

Is it not considered a most fatal symptom on board ship in general when the diarrhoea attacks a man with the scurvy?—It always renders the chances much less favourable; but scurvy is not, as far as I have seen, always or even generally accompanied with flux; it is a bad addition to it certainly, and possibly the scurvy may cause the flux in bad cases.

Are there many serious cases in the Penitentiary now?—I did not see one, in my examination yesterday or to-day, who I think will die of this complaint; I only directed my attention to the bowel complaints.

If you had prescribed mercury, in the first instance, in a scurvy case, would you be disposed to leave it off on flux commencing?—I would not prescribe mercury for the scurvy at all; it is only for the bowel complaint; I would not, where it is combined, allow the bowel complaint to go on, wearing the patient out, for fear of the scurvy, unless there were a very high degree of scurvy; where a person is highly scorbutic; and had a bowel complaint combined with it, I would hesitate in giving the mercury until I had lowered the scurvy by proper means.

If a man had the scurvy without the flux, what would you do?—Give him nutritious food, both animal and vegetable.

You would not give him mercury besides?—I would not; mercury in any case for scurvy is improper; it is only where combined with diarrhoea, and not for the scorbutic part of the complaint.

Do you know whether you saw the worst cases?—Many were pointed out to me, by the physician and the surgeon there, as having been among their worst cases.

None of those patients you think will die?—I do not see any probability of any of them at present being in danger; they may have relapses; but, under existing circumstances, there is not any probability.

The medical journals of the three ships you have referred to will show the treatment the sick experienced?—Of course; they sailed from Madras on the 22d of October 1806, for Batavia; and they were about three months, or between three and four months away; this extract from their journals has been published by myself thirteen years ago.

In what ship were you?—In the Caroline frigate, and also for a time in the Russel, one of those ships, but not at that period.

Peter M. Latham, M.D.; further Examined.

Dr. Latham.

(June 17.)

DID Dr. Johnson see the eight cases which were alluded to by you on the 12th of June last?—He saw all the cases, except two, which were considered to be dying at that time, and the individuals have since died; they were both cases of dysentery and flux.

He has seen the other six?—Yes; I did not mean any particular cases, but I said there might be half a dozen or eight cases, concerning which I was anxious, but the state of those cases has very much changed within these few days; I cannot say that there are half a dozen cases affected with this disease as to which we are anxious now.

John Godwin Johnson, Esq. called in; and Examined.

*J. G. Johnson,
Esq.*

DID you accompany Sir Gilbert Blane round the Penitentiary sometime ago?—I think it was the 24th of May.

Were you with him during the whole time he went round there?—I was not always present in every cell he entered.

Did he examine the patients legs?—He did, a number.

In how many cases do you think he examined the legs?—I cannot give an idea of the number; I did not pay particular attention to it, further than occasionally examining them myself.

You would say generally he examined the legs of the patients?—Those that I saw he examined the legs of.

Both males and females?—Yes; I do not remember what number of men, but I remember looking at the legs of one woman with him.

He took off their stockings and examined the state of their legs?—Yes; there were three men generally in a cell, and he desired them to come round and put down their stockings.

Both men and women?—I do not remember the men particularly, but I know there were women.

Did he examine every patients legs and gums?—I cannot say every patient; there were one or two cells I did not enter with him, but I was at the door.

What is your opinion as to this complaint, which prevails at the Penitentiary, being infectious or otherwise?—I cannot say that I have had experience sufficient to justify an opinion upon that subject.

George P. Holford, Esq. a Member of the Committee, further Examined.

*G. P. Holford,
Esq.*

HAVE you any Papers to give in, in consequence of the examination which took place yesterday?—I have brought extracts from the minutes, relative to the cases of the matron and Mr. Hatch the steward, that were alluded to yesterday, and I wish to correct a mistake which was made by myself in putting a question to Mr. Pitt, which implied that the examination of the witnesses in the charge brought against the matron, took place while Sir Archibald Macdonald was in the chair; it will appear by these minutes that I was in the chair at that time, but that Sir Archibald Macdonald was present at two subsequent meetings at which the examinations of those witnesses were read and the case gone into.

[*The Papers were read, as follow:*]

AT a Meeting of the Superintending Committee, held 3d February 1817.

Present:

George Peter Holford, esq. in the chair.

The Right honourable Richard Ryder.

Sir Charles Edmonstone, bart.

John Fane, esq.

Davies Gilbert, esq.

The committee proceeded in the investigation recommended at the last meeting, and examined several witnesses relative to work being done in the prison, contrary to the regulations.

Resolved,—That the examination of the witnesses be submitted to the committee at their next meeting.

AT a Meeting of the Superintending Committee, held 7th February 1817.

Present:

The Right honourable Sir A. Macdonald, bart. in the chair.
 Sir Benjamin Hobhouse, bart.
 Sir Charles Edmonstone, bart.
 George Holford, esq.
 John Fane, esq.
 Davies Gilbert, esq.
 The Rev. Archdeacon Pott.
 The Rev. Archdeacon Cambridge.
 The Rev. J. T. Becher.

PAPERS.

(June 17.)

The minutes of the 3d February were read, and the examination of the witnesses, by which it appeared that work had been done in the prison, without being accounted for.

Resolved,—That a special meeting of the committee be summoned for Friday the 14th instant, to take into consideration the question as to the removal of the matron.

AT a Special Meeting of the Committee, held 14th February 1817.

Present:

The Right honourable Sir A. Macdonald, bart. in the chair.
 Sir Charles Edmonstone, bart.
 William Morton Pitt, esq.
 George Holford, esq.
 Davies Gilbert, esq.
 The Reverend Archdeacon Pott.
 The Reverend Archdeacon Cambridge.
 The Reverend J. T. Becher.

The committee proceeded to the consideration of the question as to the removal of the matron.

The secretary read the minutes of the evidence taken at a former investigation, and also the matron's explanatory letter.

Resolved,—That the consideration of this question be postponed until Saturday the 22d instant, and that a special notification, that it will then be considered, be inserted in the summonses of the committee.

AT a Meeting of the Superintending Committee, held 22d February 1817.

Present:

The Right honourable Sir. A. Macdonald, bart. in the chair.
 Sir Benjamin Hobhouse, bart.
 Sir Charles Edmonstone, bart.
 Sir James Shaw, bart.
 Sir William Curtis, bart.
 John Fane, esq.
 William Morton Pitt, esq.
 George Holford, esq.
 E. Bootle Wilbraham, esq.
 William Mellish, esq.
 The Reverend Archdeacon Pott.
 The Reverend Archdeacon Cambridge.
 The Reverend J. T. Becher.

The matron tendered her resignation, and requested the committee to accept the same.

Resolved,—That the matron's resignation be accepted, and that she be requested to officiate until another matron is appointed.

AT a Meeting of the Committee of the General Penitentiary, held
 24th April 1820.

Present:

The Right honourable Sir A. Macdonald, bart. in the chair.
 Sir Charles Edmonstone, bart.
 George Holford, esq.
 The Reverend Archdeacon Pott.

PAPERS.

(June 17.)

Thomas Stone, who hitherto supplied turnery ware, and executed the cooperage required for the use of this establishment, attended and stated, that he had not recently received any orders, which, in his opinion, was occasioned by his declining to accommodate the steward with the loan of money; and Mr. Stone stated his having accommodated him with money, but latterly he had declined it.

Resolved,—That the committee be specially summoned for Saturday the 13th May, to take into consideration the conduct of the steward, and that the several tradesmen supplying the establishment be requested to attend the committee on that day.

AT a Meeting of the Superintending Committee, held 13th May 1820.

Present :

The Right honourable Sir A. Macdonald, bart. in the chair.
Edward B. Wilbraham, esq.
Davies Gilbert, esq.
George Holford, esq.
The Rev. Archdeacon Cambridge.

Several letters were read from the steward to Mr. Stone, soliciting the loan of money; which the steward acknowledged to be in his hand-writing.

Messrs. Bowditch, Bell, Kew, Mann, and Fitzgerald, tradesmen, and contractors for supplying the establishment with articles, stated that the steward had dealings with them, and had applied to them to discount bills, which Messrs. Bowditch, Bell and Kew, declined; that Mr. Mann had discounted two bills for the purpose of deducting therefrom the steward's private account; and that Fitzgerald had been in the habit of lending him from time to time monies on his own acceptances, from 10*l.* to 20*l.*

Mr. Hatch (the steward), acknowledged the statements of these persons to be true.

The visitor (Mr. Holford) detailed the result of an inquiry, which he had instituted relative to a pair of pistols, which had been ordered by the steward of Mr. Parker, without the governor's sanction, and which on presentation of the bill for payment had been directed to be returned.

The pistols were not returned, and on the application of Mr. Parker's man for them, the steward stated that the governor had them; but which on reference was found not to be correct.

Mr. Hatch denied having referred the man to the governor, and stated that he had apprized Mr. Parker that they were to be charged to his own private account, as he had disposed of them to a lieutenant in the navy.

The committee having maturely considered all the circumstances,
Resolved,—“ That the steward be dismissed from his situation.”

G. P. Holford,
Esq.

Mr. Holford.—I wish to add to these minutes the statement of a fact, in consequence of part of Mr. Pitt's evidence of yesterday, in which it was stated that Mr. Hatch was called upon to make up his accounts, they not having been looked into for a considerable time; the only money with which Mr. Hatch had been intrusted, was money for petty cash that sometimes amounted to fifty, sixty, or ninety pounds, arising from the necessity of providing for prisoners for what pardons were expected in the intervals between meetings of the committee, that petty cash was kept regularly, it was the duty of the examiner of accounts to look into that, and I have ascertained by inquiry of the present secretary, that that book appears to have been looked into as late as the month of February, Mr. Hatch being dismissed I think about the month of May.

You stated that it is the general practice in the prison to write to the friends, if they have been within reach, and that if they desired it, the bodies are given up to them, can you state whether any information has been sent to the friends of Rebecca Price and John Lampert?—In fact, that has been so generally done by the governor or the chaplain, principally by the chaplain, that we never have had occasion to take that into consideration with a view to make a rule upon it, if the friends of either of those persons have been written to, it was probably by the chaplain or the governor.

William Morton Pitt, Esq. a Member of the House, further Examined.

W. M. Pitt,
Esq.

WHEN did you receive the letter from the committee of the General Penitentiary, which was addressed to you, inclosing the statement?—On the 31st of May, at Kingston, near Dorchester.

The

The letter bears date the 17th of May, as well as the inclosure?—It does so.

Can you account for the letter not being sent sooner?—I cannot; it surprized me rather, but I thought it of no importance; since that I have understood that some importance has been attached to it. But I do not know.

The letter was addressed to your residence in the country?—It was.

It would then appear that it was laid before the Committee of this House before it reached your hands?—Exactly so. I received a letter from a friend, who told me it was before this Committee; that letter I received on the 29th or 30th, and I did not receive the letter itself till the 31st.

From your attendance in the Penitentiary, and from your general observation, in what estimation did you hold the late physician Doctor Hutchison?—I can only repeat what I have, I believe, stated already to this Committee; I have known Doctor Hutchison I think nine years. Before I had the pleasure of knowing him, I had heard a great deal of his character; I have always been led to think very highly of him in every respect. I, of course, had a good deal of intercourse with him during the time that he has had the medical superintendence of the Penitentiary, and in every part of his conduct that has come to my knowledge, I have formed a most favourable opinion of him.

Had you any reason to think that up to the period of your quitting the attendance at the Penitentiary, any member of the committee entertained an opinion at all disparaging to him?—I never heard any thing of the sort till just before I left town last year, at the latter end of the month of May of the last year.

Was his care and attention to patients perfectly satisfactory to you while you were on the committee?—As I mentioned yesterday, I was visitor only a very short time, I said yesterday but six weeks, but I doubt whether it went beyond a month. I was twice visitor for a short time; I used frequently to confer with Doctor Hutchison on the state of the Penitentiary in a general way, and I thought the pains he seemed to be taking, were most exemplary.

His conduct was always satisfactory to you?—Oh! most perfectly so.

Mr. John Shearman, Examined.

HOW long have you ceased to be governor of the Penitentiary?—I think about six years.

How long were you governor?—About a year and a half.

From what time to what time?—It must have been from the beginning of the year 1816 to the middle of the year 1817; it is so long ago I do not recollect the dates.

You resigned your situation?—I did.

What was your reason for giving in your resignation?—There were several reasons operated on my mind; the first reason, which I think I stated in a memorial I sent in to the committee a short time before my resignation, I had conceived that I was the servant of the committee, and that all the executive part of the duty of the Penitentiary was to be done by my agency; but I found that, I have no doubt it arose from the purest motives, that visitors did that which I thought was not correct, because they went to the Penitentiary and gave orders and directions for things to be done to the inferior officers, which I thought ought to come through me; that was one of my reasons, that was repeated; prisoners were occasionally removed from one ward to another, I knew nothing of it, no communication was made to me, and if the inferior officers had a request, they got too much into the habit of reserving it to speak to visitors, that I conceived I was almost a nonentity in the situation, and I found that if I continued under those circumstances there, I should ultimately not be able to perform the duty of governor, and should get myself perhaps into disgrace, and that was the first thing that induced me to think of retiring from the situation.

Had you any other reason besides that?—I certainly had another reason; I certainly did think that there was a very painful system going on in the prison against the officers, by that degree of what I might term spyism; I have no doubt at all it arose from the purest motives, thinking it was the best way to conduct the establishment, setting up one person to look after another.

Can you state any instance in which you were able to detect that?—It is so long ago I cannot precisely; but there is one particular instance made a very strong impression upon my memory, and that was a conversation which took place between the master manufacturer, at the time a young man of the name of Webb, and the steward, and some other persons in the establishment, in which I was vilified a good deal, and a very honourable member of the Penitentiary was very much in the habit

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of correspondence carried on by letter between that member of the committee and that young man, and I thought there might be something respecting the Penitentiary, and I, perhaps erroneously, thought it ought to come through me if it was concerning the Penitentiary; I made a complaint to that visitor of the fact, and some investigation took place before the committee, at which I never was present, and even my feelings in that instance were not attended to, and what the result of my complaint was I never knew.

Who was that visitor?—Mr. Holford; I beg leave to say, that I am satisfied that there was the best motive on the part of Mr. Holford; but I did not like to remain in the situation under those circumstances.

What is the date of the memorial to which you refer?—I cannot recollect, I think in April.

Had there been any complaints against you before that time?—Not at all that I am aware of, unless it was that against which there was no rule, my going out too often.

Was there no complaint of too much relaxation of the rules of the prison?—Such a thing was never mentioned, to my recollection.

Had you given up your business as an attorney at that time?—Most decidedly I had.

Had you any bargain with the person in possession of your business, of such a nature, that the amount of the remuneration you should receive, should depend in some measure on the amount the business should produce?—Yes, I beg leave to explain that; when I quitted my business to go to the Penitentiary, and of course understood the whole of my time was to be devoted to that establishment, I certainly made an arrangement with a gentleman in the profession to take that business and allow me an annuity for introducing him into my connections, and so far from that which is supposed, instead of having a larger sum, if it did not amount to the sum, we understood it was to be decreased and not to be increased.

Did you ever give as a reason for your frequent absences, the necessity of collecting debts owing to you?—Yes, I believe I may have said that I went out occasionally to collect debts; I was suddenly taken from a twenty years practice, it was impossible for me to close all in an instant, I occasionally went out, as the rules permitted me to do, and I was catechised on the subject of being out.

Was it not a part of the rules of the establishment, that the governor should always enter his name in the book?—Yes; and I always did.

Did not the committee complain that your absence was too frequent?—Yes; and that was what I was hurt at, as I obeyed the rules, if the committee had pleased they might make a rule that I should not go out without the leave of the visitor; I then offered my resignation, I certainly felt indignant; perhaps it was wrong in me that I had too high notions about my situation as governor.

Did you not state, that unless the committee gave you a larger salary it would not be worth your while to stay?—That was one part of my memorial, but the least important to my feelings.

Was it not always a rule of the institution, that visitors orders were given in writing?—I am sure I cannot charge my memory whether there was any rule upon the subject, but it struck me, that that was the way in which it was to be done.

In point of fact, were all the visitors orders given in writing?—There are several instances in which persons were removed from one cell to another, in which I never saw the order in writing at all.

Do you conceive any visitor has authority to do any such thing, or ever had?—I am sure I certainly thought not; but it was done.

Did you make any complaint of that to the committee?—No, I did not, except what I hinted at in my memorial.

Did you, at the time those things were done, complain to the committee of their being done?—Certainly not.

Do you recollect a conversation to the following purport between Mr. Holford and yourself; that you said to him once, that officers in the prison often told you they had their orders from Mr. Holford, and that you hoped Mr. Holford would not consider you as acting improperly, if in answer to such statements, you said that you heard nothing of it from Mr. Holford, and should pay no regard to what they said upon such subjects; and that Mr. Holford's answer was, you would do perfectly right, for that Mr. Holford never gave orders but in writing, nor to any body but yourself, nor had power so to do?—No, I recollect nothing of the kind.

You

You state, that one reason of your resigning your situation was, because you thought there was an improper interference with you in your duties as governor?—Yes.

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Will you have the goodness to state some instances of that interference, and by whom?—Mr. Holford was the most active gentleman there, and no man had more zeal in the establishment, or the welfare of the establishment more at heart, but Mr. Holford used to go in and give directions; and I remember instances of removals from shoemakers to tailors, and *vice versa*, which I only knew by going round the prison and finding the change of the prisoners, and when I asked the turnkeys how it came to be, they said Mr. Holford had ordered it.

Was it not a part of your duty, as governor, to attend Mr. Holford in his visits to the different wards?—No, Mr. Holford used to leave me in my place; I do not think it was his duty to take me.

Were prisoners ever confined, and liberated out of confinement, without your knowledge, as governor?—They were taken from one cell and put to another without my knowledge.

Whose duty is it to attend the visitor?—The visitor does as he likes, he goes where he likes, very frequently accompanied by the chaplain.

Were you not answerable for all prisoners in their confinement?—Certainly; and I was liable to be indicted if they escaped, I did not want to make enemies, and did not remonstrate when I saw it.

Was that a thing of common occurrence?—In several instances.

How do you know, that when the turnkeys told you they had done this by Mr. Holford's order, they told you truly?—Certainly, I cannot say that it was true, it still continued so, and if Mr. Holford had not directed it; with an acute mind he would have seen the change, and would have mentioned it to me, and inquired how it occurred.

How was Mr. Holford to know, whether it was done by your order, or by whom?—I believe they were classed by the committee.

Do you mean, that by Mr. Holford's orders, or by any order, but that of the committee, any first class prisoner was put into the second?—Certainly not; the circumstances which occurred occasioned so much mortification, that I wished to get rid of it, and it is with great reluctance I come here.

Did that interference, in the nature of spying, as you term it on the part of the task-master, Mr. Webb, occur in more instances than one?—I should hardly like to mention what he has said; I have a written report, which the steward made to me on one occasion, of what he did say.

Who was that steward?—Mr. Hatch was steward at the time.

Had you a good opinion of Mr. Hatch?—No, certainly not; nor had I of the master manufacturer.

Do you think that it is an indignity or an insult to the governor, that a member of the committee should correspond with particular servants in the establishment, such as a steward or master manufacturer?—No, I do not know that it is an indignity upon the governor; but I misconceived the intention of the legislature, I conceived, by reading the Act of Parliament, that I was to be the active party, and to be directed and controlled by the committee, and the visitors for the time being.

You took a very correct view of the subject; will you state the instances in which a different view of that was taken by Mr. Holford?—I do not know Mr. Holford's view, but in his zeal he did do it.

Will you state the instances in which he did do it?—I mentioned those instances of officers very frequently making requests to him for things that they wanted without saying a word to me.

Will you state the instances in which such requests were granted by Mr. Holford without consulting you?—It came to this, that, when I was listening to see what was said by the prisoners, they would say, we will wait till the visitor comes, and then ask him; and I found it in that state, that I thought I had better quit it. Another circumstance which induced me to be anxious to resign was, when the Penitentiary was first instituted, the governor's was a situation for life; he could not be removed from that situation unless he was guilty of fraud, or some negligence or misconduct in his office, that induced me to go into that situation, thinking it would enable me to support my large family for life. I had not been long there before that was changed by an Act of Parliament, which made me and all the officers, removable at pleasure. I did not like that; I thought that at

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some period of my life, when I was completely forgotten by the world, I should be dismissed, and I had better go when I had friends to look to.

You considered your tenure as insecure?—Yes, and altered, after my contract with the gentlemen; I remonstrated at the time against the act of Parliament.

What character did Doctor Hutchison, the medical superintendent, bear in the Penitentiary for attention to his duties?—I always found him very strict and attentive to his duty, and a very kind man. He attended the officers families occasionally when they were in sickness; and he always appeared to me to be a very kind, skilful gentleman, and most anxious to do his duty.

Was there ever any complaint made to you as governor, of his want of attention?—No, never; he generally used to be there most evenings. There were certain days, if he did not come in the day time, he came down in the evening.

Was his attendance as frequent as you think, as governor, it was requisite?—I always thought it was more; he did not appear by the rules to be required to come so often as he did.

Was he required by the rules to come at all, at the time you were governor of the Penitentiary?—I cannot say, indeed.

Was he medical superintendent while you were there?—He used to attend.

Was not he consulting physician, and was not his attendance as frequent or as seldom as he pleased?—Yes, that was his situation, I think, at that time.

In point of fact, did not he attend at that time, and was not his attention what you consider assiduous?—Yes, most assiduous.

Was his attention as regular when he received a salary from the Penitentiary as it was before?—I was not there, I had left before any salary was attached to his office.

Do you remember Mr. Holford having complained to you more than once, of your knowing but little of what was going on in the prison?—No.

Do you recollect Mr. Holford asking you about the bells, and your giving a different account from that given by the porter?—I do not recollect any conversation about the bells.

In what way were the orders of the visitor communicated to you?—I conceived they were sent to me for the purpose of my carrying them into effect.

By one of the rules, all the orders are to be given in writing, together with the circumstance by which they were occasioned, and to be entered in a book called the Visitor's Book, and reported to the committee on the next occasion?—The visitor's book is kept by himself.

Was not the visitor's book carried to you as governor?—No; it is a private book of the visitor, which the governor never sees.

Were you in the habit of receiving written orders?—I do not recollect ever receiving a written order from any visitor.

Do you know whether a rule, similar to that, was acted upon while you were governor?—Yes, I think there was something to that substance in the original regulations; there was a visitor's book at that time.

Do you mean to say, that with such a rule in the regulations, no visitor ever gave you a written order?—I have no recollection of receiving one, but it is impossible to charge my memory at the distance of six years, and having no documents to refer to.

If you did receive any they were so few as to have escaped your recollection?—If I did receive them they will be found in my journal, they will appear by the journal which is now in the Penitentiary, for it would be my duty to say, I have done so and so, by order of the visitor.

That journal was kept by you?—Yes, and it remains in the Penitentiary.

Have you any further information to give to the Committee?—In the examination which I accidentally heard yesterday, one of the charges against Mrs. Chambers was, for having washing done in the laundry, and Mr. Holford added, and the governor, contrary to the rules; Mr. Holford did not mention that the chaplain also had his things washed in the laundry at the same time, and that there was no rule against it at that time, in consequence I believe of its having been done at that time, and the officers having no convenience to wash at all, there being no arrangement made for our washing being done, and we being obliged to send out; the rule was then made that it should not afterwards be done.

Was there not a rule, that all work done by the prisoners should be charged, and they should have per centage upon it?—Yes; I think there was.

Did not the chaplain, in consequence of its coming to his knowledge that things had

had been sent from his house to be washed, communicate it to the committee, and bring the subject before them?—I do not know, indeed.

Did you not tell him that he was very unwise in so doing?—Certainly not; because I was not aware myself that it was done till it was discovered; it was a matter agitated among the females, that as soon as I heard of, I said it was improper, and that I did not wish it to be done.

Do you mean to say you brought it to the knowledge of the committee?—No; I did not know it till after it came to the knowledge of the committee.

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Mr. Nathaniel Thoms, called in; and Examined.

WHAT situation did you hold in the Penitentiary?—Secretary and examiner of accounts.

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How long did you hold that situation?—I was appointed on the 25th of March 1816, and resigned on the 7th of July 1820.

What was the reason of your resignation?—I really think there was no specific reason, nor none will appear upon the minutes, I am pretty well certain.

Was not the reason that you could not do the business of the Penitentiary upon the spot?—Indeed it was not.

Did you receive any intimation from the committee of the Penitentiary, that they were displeased with your conduct?—I did not.

Did you voluntarily resign?—I did.

Will you state for what reason?—If the Committee will allow me to state to them that I never solicited the situation that I then held; I was originally accountant-general in the transport board, and at the period the transport board with several of the naval departments, was about to be abolished, the situation of secretary of the Penitentiary was then vacant, and the late speaker, Lord Colchester, wrote to my Lord Melville for some person who had been discharged from the public service to take it; my Lord Melville wrote to Sir Rupert George, the late chairman of the transport board, and without my knowledge, I was recommended, and having been known to Lord Colchester, I had the honour of being elected; I had not long filled that office, when, I feel it necessary to state, the honourable member, Mr. Holford, selected me without solicitation to be the secretary to the supervisors of the building, for the erection of the Penitentiary; I continued this duty, I trust, satisfactorily to the committee, till about the period of my resignation; and I confess I do not mean to hold out any particular reason, but it appeared to me, perhaps improperly, that I had not the immediate confidence of some of the gentlemen with whom I was so immediately connected, and the emoluments arising from the situation being small, being obliged to give up a superannuation allowance which I was entitled to from the transport board; and it was intimated to me farther attendance would be required, and having been honoured with the appointment of secretary to the Commissioners of Inquiry into the Customs and Excise, that was one reason, but it was not my sole reason for resigning, but that I found I could not go on comfortably with the gentlemen with whom I had the honour to be acting.

What had happened that had interfered with your comfort?—There was an appearance of their being less satisfied; from what cause I cannot say.

What was the duty you had to do from your situation?—The duties of the situation were to attend all committees, to take the minutes, to examine and check the accounts, and to make the payments; of course all correspondence, all private communications, and every thing that was desired; at all times I was at the committee's command.

What was your salary?—My salary was 200 l. a year, for which I gave up a superannuation of 170 l.

Did you reside within the walls of the Penitentiary?—I did not.

What were the office hours?—There were no office hours; I went every morning to see what was to be done, and attended the meetings of the committee.

What length of time did you remain daily in the Penitentiary?—At the commencement, my time was much occupied with Mr. Holford and Mr. Morton Pitt, in copying the rules; there was no specific time; it would sometimes occupy the greatest part of two or three days in a week, sometimes less, when the committee were absent; during the six months when the majority of the committee were out of town, and there was not so much requiring my attention, I was seldom there except in the morning.

Were you always there when summoned to attend?—I generally received the

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visitors order to summon the committee, or attend them, and I never neglected in any one instance.

Was any complaint made to you, to your knowledge, that you had not given the full number of hours to the duty which the committee required?—In no one instance.

The Committee understand you to say, that during the whole time that you were there, no complaint was made personally to you that the committee were dissatisfied with your conduct?—Most certainly not.

Your resignation was voluntary?—It was voluntary, certainly; and when I state that I happened to be at a committee, I recollect the instance extremely well; I felt myself a little hurt at some observations that were made; perhaps I took a wrong view; I had an idea that another individual was soliciting my situation, and I thought the usual kindness not being displayed, was to make way for that individual; I was afterwards assured by the honourable member that that was not so, and I believe it.

Did that individual succeed you?—No, he did not.

Was not the impression on your mind, that it was intended to unite the offices of chaplain and secretary?—It was.

Can you, from your knowledge of the offices, suppose it possible any one man can do the duties of chaplain and secretary?—I do not think he could do it correctly.

Were not you desired to say from whom you heard that, and did you not say you would not?—Exactly so.

Did not Mr. Holford state, immediately on hearing it, that it was a proposition too ridiculous to be entertained by any member of the committee?—He did.

Who was the medical superintendent during the time you were secretary of the Penitentiary?—Soon after the opening of the Penitentiary, Mr. White, the present consulting surgeon, made an application to be appointed gratuitous surgeon. On the 6th of May, Doctor Hutchison made a similar application, to be consulting physician. There were also applications from Doctor Whitter, of the Westminster hospital; and from Doctor Harrison, to be appointed consulting physicians. Ultimately Mr. White was appointed consulting surgeon, and Doctor Hutchison consulting physician. This went on until March 1819, when an application was made to my Lord Sidmouth for Doctor Hutchison to be appointed medical superintendent.

Was he so appointed?—Lord Sidmouth returned for answer, that the act of Parliament prevented his appointing a medical superintendent; and in consequence the appointment did not then take place.

Was he subsequently appointed?—The Act of 56 George 3, chapter 63, which was then immediately passed, authorized the committee to appoint Doctor Hutchison, and under that act he was appointed.

Had you frequent opportunities of observing his conduct while you were secretary?—Very few opportunities, except casually meeting him on committee days.

Did not the proposal of appointing Dr. Hutchison medical superintendent, originate with Mr. Holford?—There is no minute of that kind; I conceived it to originate with Mr. Pitt.

Are there minutes made of all letters received and answered?—Yes, all made by me in writing; and I believe, with the exception of one minute which was drawn by Sir Archibald Macdonald, every one was drawn by me.

Was not a part of the unpleasant feeling entertained by you in consequence of the committee objecting to your going into the prison?—I am very glad that the opportunity is afforded me of going into that, which I had not intended; if the Committee will be so good as to look at the original rules, those in 1817, the fourth rule of the secretary's duties says, "he shall consider it as part of his duty to represent to the committee any irregularity, or other matter requiring their attention, which may have fallen under his observation." When Mrs. Sharpe, the matron of the Penitentiary, was appointed, the committee directed that the matron, as well as the governor, should keep a character book; the matron's duties are very laborious, and believing her to be as honest and as good a creature as ever lived, I certainly tendered my services to assist her in framing this character book; for this purpose I framed an outline, that no difficulty should arise or any unnecessary delay, because I never till that moment considered but what, with the proper officers, the secretary was entitled to go into the prison; I accompanied the matron to a cell; we had one

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one of the turnkeys, and there was a sheet of foolscap, which I destroyed some time ago, so that I should fill in the prisoner's age, where born, and where convicted, and so on; I formed the character book for the matron with twenty characters; this book I produced to the committee on the following day after it was completed, and they were pleased, particularly Mr. Holford, to state their high satisfaction at the manner in which the thing was done; I proceeded with this. I should mention, at the same time, that the chaplain at the time was in a state of illness, and I told him, when I had the first opportunity of seeing him, what I had been doing, and there was some information which I thought he might like to put into his own character book; I found from the answer I got, that he considered I had been irregular in going into the prison; I may be wrong I am ready to admit, but instead of receiving my offer, he stated, that he was bound to receive it from the prisoner's mouth; the thing ended, and I was not aware that I had offended; but on the following day when I went to pursue this business, I received a message from the matron, that Mr. Bennett conceived my conduct highly irregular in going into the prison, and that he should represent it to the committee; I certainly, as secretary to the institution, thought, that if I had done any thing irregular, Mr. Bennett ought to communicate it to me; but I found that my conduct had been canvassed before the porter at the outer lodge; I wrote a letter to Mr. Bennett, and he went immediately to Mr. Archdeacon Pott, who no sooner heard of it, than he went to the prison, expressed his sorrow for what had occurred; the matron sent for me, I sat down in haste, and wrote a statement of what had occurred, and I sent it to Archdeacon Pott; he came to the Penitentiary the next morning, and said that he regretted the circumstance which had taken place; that he did not blame me for any thing but one word, which was insinuation; the consequence was, that it was stated by Mr. Bennett, that if I would allow I meant nothing by that word, it should all drop, and it did drop.

Was not the complaint of Mr. Bennett that you went round a part of the prison occupied by females, and took the confidential histories of the prisoners from themselves, and did he not consider that as an intrusion into his employment?—Mr. Bennett never expressed it to me as you have stated, the matron delivered the message; and there is the original letter to Archdeacon Pott, with an inclosure of the statement [*producing it.*]

Was not this matter afterwards brought before the committee?—Never; there is no minute of the kind.

Are you certain that the question never was canvassed in the committee?—Never, in my presence; I was never present, I never was asked to withdraw.

Did you, in point of fact, go into the cells of the female prisoners, and write their histories?—I went into a turnkey's cell accompanied by the matron, and the turnkey and the prisoners were sent for, I merely heard their names, ages, where born, where tried, and the rest of that, that is all I know of it.

You entered no narrative, no confession of guilt?—No, nothing of the kind, they described it as I dare say you are aware; I have been an unfortunate woman, or something of that kind, name, age, and where convicted, and so on.

Every thing you took down, was taken down in the presence of the matron and one of the turnkeys?—Yes.

Were you prohibited afterwards from going to the prison?—Certainly; it was intimated to me that the thing was irregular.

Can you state that any one of the committee has ever intimated that it was proper?—I had always gone accompanying visitors, governor, surgeon, and no objection whatever was made to it.

Could you have fulfilled your duty, in acquainting the committee with any irregularities, if you were not permitted to go in?—I think not; and that is the reason stated in my letter.

Can you state any instance of communication you made as to any thing which occurred within the walls of the prison?—Not from what passed among the prisoners; but there were a variety of matters, I was encouraged to communicate to the committee, that came to my knowledge.

Did you communicate to the committee any thing which occurred within the walls of the prison, in consequence of your being admitted?—The Committee will see in that letter, that there was a matter with Mr. Webb, the master manufacturer, which I should have been enabled to communicate, if I had been permitted to go into the Penitentiary.

Was it stated at the time you showed this to the committee, that you had been in

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the prison to collect this information?—I do not know how the committee could imagine I could obtain information without.

Might not the information have been given by the notes taken by the matron?—It might; but I do not imagine the committee ever conceived it was.

Did you consider that the chaplain of that institution took more upon him than became his office, and acted more like a visitor than a servant of the institution?—That is a question certainly of opinion only, but if I am obliged to state, I have no hesitation in saying, that I do not think any officer does his duty with more enthusiasm than Mr. Bennett has done it, but I very much doubt whether that enthusiasm has not led him to interfere with other officers, more than the rules laid down for him called for.

Do you know whether the present secretary ever goes into the prison?—I should presume not, he being so prohibited; but I have never been once into the prison since I left it.

Can you state any part of the secretary's duties that would require his presence within the prison?—I have only said, that, from the fourth rule, I conceive that if there was any irregularity in the prison, if any thing wrong went on in the concern, I was bound to state it to the committee.

Is there any thing in that rule that contemplates the irregularities as arising in the prison?—I do not know that there is; but Mr. Holford will, I am sure, recollect, that at the commencement of this establishment, when I had the honour of his confidence, as well as that of Mr. Morton Pitt, I was very much about the prison.

Is it not provided, that the governor shall not go into the female part of the prison without the presence of the matron?—It is.

Is there any such provision with respect to the secretary?—No, there is not.

Do you conceive you have a right to call on the matron to attend you?—Most unquestionably.

Is that by inference, or by any express direction of the rules?—By inference.

Is that inference collected from that part of the rules which requires the secretary to state to the committee any irregularity which comes to his notice?—It is my inference from it, and also the continued confidence I had with the committee at its meetings; not merely the inference from the rule.

In point of fact, you never did go into the female department unless accompanied by the matron?—Never, in any instance; I do not think I ever went unless there was a visitor or some person of distinction going round; it is within the knowledge of the committee that I wished to abstain from it.

Did Dr. Hutchison write to the committee to say, that his attention was too laborious, unless he was paid for it?—No, I do not recollect any letter of that kind.

Did he ever write to the committee to desire or to ask that the title of his employment should be altered?—I do not recollect his ever asking any thing of the sort; I heard a conversation in the committee upon the subject, but I do not remember any written application.

Are you quite sure there was no written application?—I am not; that was in the year 1819.

Were not you examiner of accounts?—I was.

Did you conceive that Mr. Hatch's accounts were in a proper state when he left the prison?—In a very improper state.

Had they been examined recently?—They had.

Were all the accounts properly vouched?—Very incorrectly.

Was that brought before the committee?—Several times; I can give the dates.

What money had Mr. Hatch in his hands?—He had a certain sum issued for petty cash, under an order from the committee that he should receive so much, but when the prisoners came to be discharged more numerously and they were entitled to more, it was necessary to impress more to him, and he was deficient on leaving the establishment.

How much?—Fourteen pounds.

Will you undertake to say, he did not owe forty pounds?—Upon my word I cannot say; there was an accountant to make up his accounts.

What character did the medical superintendent bear among the officers of the establishment?—I can only state, what has been matter of general conversation, that he has attended many of their families with a great deal of attention and skill.

Did you ever hear any complaint of his want of attention to the prisoners?—Never.

In

In the letter you have given in, the leading points of which you state in your evidence, you refer to an instance of irregularity which you think, had you had a free access to the prison, you would have had an opportunity of proving, and of course correcting; to what do you refer?—I think, to the best of my recollection now, it was some irregularity of the master manufacturer in the female prison, taking in some blankets.

Was that communicated to you by one of the prisoners, or did it pass under your observation?—It was a mention made of something in the storeroom, not by the prisoners. I had no opportunity of conversing with the prisoners; but there was a rumour, from the time I commenced to the time I left it, of improprieties.

Who was the governor at the time?—I think, Mr. Ryde or Mr. Couch.

Do you know who Mr. Ryde was prior to his being in that situation?—He was managing clerk to Mr. Maberly.

Had he been anything else previous?—He had been with an army clothier in Parliament-street.

Had he ever been a stage-player?—No; but I believe he had practised at private theatricals. Mr. Ryde was the governor at that time.

Who succeeded Mr. Ryde?—Mr. Couch.

The Committee have been told by several witnesses, that a system of espionage existed throughout the prison, which has been considered by those witnesses as very injurious to the good order and good arrangement of the prison; has any thing of that sort come to your knowledge?—In answer to that I should say, that, from the earliest period, certainly the active members of the superintending committee gave great encouragement to receive any information from the respectable officers, I believe with a view of putting the prison in its best possible state; that encouragement was caught with avidity by a great many, I infer, for the purpose of cultivating the good opinion of those gentlemen conducting it; and I am induced to think that, in many instances, their zeal overstepped perhaps the strict line of truth; for I must say, that during the whole period I was there, there was a continual complaint, one officer against another, and a system that was quite unpleasant in an establishment of that nature.

Have you any further information you wish to give?—No further; I attend here in consequence of the wish of the Committee, not my own.

Were you in any way an accountant with the establishment?—There were certain sums I expended; a draft for salaries, for instance, came into my hands; and, therefore, I may be considered in some measure an accountant.

In what manner were those drafts drawn; were they payable to the individuals?—No; I used to submit the account of the salaries due to the individuals; it was summed up, and a check drawn on the Bank of England, and I received the money, and paid it into my bankers, and paid those sums.

Were the per centage accounts kept in the same way?—No; owing to my trusting too much to others, I was minus 17*l*.

Did you see that the turnkeys got the per centage they were entitled to?—I got the receipts, I saw that they got their per centage; I gave the money to the master manufacturer to be distributed to those respective turnkeys.

When you received drafts for tradesmen, did you pay them into your bankers or to the tradesmen?—If they were specific drafts I paid them to the tradesmen; if twelve pounds, for instance, was paid in one check to pay different bills, I paid it in to my bankers.

What was the specific sum under which a check was not drawn?—There was no specific sum.

Was not it ten pounds?—No, there was no specific sum.

Have you any further communication to make to the Committee?—I only would wish to say, in answer to those questions just asked me by Mr. Holford, I trust it is not intended to be inferred that there was any want of attention in respect of the payments; if so, I would wish to put in a testimonial I have from my Lord Colchester of the attention I have paid to the institution.

[The witness delivered in the same, which was read, as follows:]

“ Lord Colchester begs leave to acknowledge Mr. Thoms’s letter of this day, and to acquaint him that he will very readily sign the minutes of the Penitentiary Committee for those days on which he was in the chair, if Mr. Thoms will bring him the minute book at ten o’clock upon any morning next week.

Mr.
Nathaniel Thoms.
(June 17.)

"Lord Colchester thanks Mr. Thoms for his obliging congratulation, and assures, Mr. Thoms, that it has always afforded him the highest satisfaction to have contributed to the placing of Mr. Thoms in the important office which he holds in that establishment. The utility of Mr. Thoms's services there are, as Lord Colchester has had the opportunity of knowing, very justly and deservedly appreciated by the gentlemen who direct the management of that great national undertaking."
"Palace-yard, 3d. June 1817."

How many months was Lord Colchester in the committee?—I believe about a twelvemonth.

Were there not many instances, just before you went away, in which Mr. Holford complained to the committee of certain stores in the part of the prison occupied by the females which he could not, by reference to the accounts of the steward, explain or understand?—Yes.

Were not the accounts of Mr. Hatch, when they came to be looked into, extremely defective for a long time back?—Yes, they were.

Was not it your duty to bring them before the committee?—I did; and I will beg to state, that Mr. Webb's accounts, which it cost the public £. 300 to set to rights, I represented repeatedly to the committee the manner in which he kept them, and that it was such that the best accountant in London could not detect them.

Will you give in the dates?—On the 28th February 1817, there was a sub-committee to examine the books to the 31st December of the preceding year, on my representation.

The account of Mr. Hatch?—The accounts generally; I complained that the persons appointed to those situations kept their accounts in such a way that it was impossible for the accountants there to detect them.

Was not Mr. Hatch an extremely good accountant?—Yes, he was too good an accountant, as it appeared.

Would not that of itself create suspicion?—The greatest part of his accounts defied detection.

Do you mean to say that his accounts appeared to be correct?—Yes, until towards the close.

You have stated that it cost the public 300 l. to remedy Mr. Webb's accounts; what do you mean by that?—The accounts of the manufacturing department were in such a state, that during the time I was there I could not pretend even to go into them, and an accountant was specially appointed to put them into a proper state to lay before the committee, if they were called for. Mr. Auld, the present secretary, was the individual nominated for the purpose; it was a work of very great labour; and I believe it took him very near twelve months to put them into a proper state.

What did he receive?—He was paid as an accountant for his time.

How do you know that it cost the public 300 l.?—While I was there I got a draft, in part payment, of 200 l.

Upon whom?—Upon the committee.

Did not Mr. Auld lay down a regular system for carrying on the accounts?—Yes.

You have said, the gentlemen of the committee generally encouraged that system of spying, and of communicating things to them?—No; I beg to say I did not state that, but that there was a general encouragement held out for information; I believe, with the best views, but that it tended to create a great deal of jealousy among the different officers.

Was there any particular member of that committee that gave that encouragement?—No, I cannot say that there was any particular member; Mr. Holford and Mr. Morton Pitt were the active members; at the commencement of the concern they were most anxious to receive information, and I fear the individuals who were asked, gave much more than they were desired to give.

Do you recollect any particular instances to which you can refer, as exemplifying the correctness of that statement in which persons have overcharged their statement?—I do not know, with respect to overcharging, whether I can adduce any particular instance, but I can produce several instances, which, in my opinion, have operated very prejudicially to certain individuals.

Will you have the goodness to mention the instances?—I think in the instance of the first matron, Mrs. Chambers; there was a great deal of insinuation, which led the committee to suspect her of a great deal more fraud than ultimately came out.

Was

Was not that proceeding founded on evidence taken before the committee?—It was before it was taken before the committee; I am aware it was on evidence laid before the committee, but I am not certain whether it was taken before the committee, it is so far back as 1816.

Have you any other case?—I think the case of Mrs. Sharpe, the other matron, who was dismissed, was from similar causes.

Do you know at all the grounds on which Mrs. Sharpe, who was not dismissed, resigned?—I think, if any body knows, I know it; she was compelled to resign against her inclination.

Do you know the grounds on which it was intimated to her, that the committee wished she should retire?—I was present at the time of the whole discussion.

Do you know whether there were meetings held at the Penitentiary upon that subject?—I do not.

Do you know at all the grounds on which that lady resigned?—I know the grounds she stated to me; that it was from her disagreement with the chaplain.

Do you, or not, know that any charge whatever was brought against Mrs. Sharpe?—None; but she was very much perplexed in her duty.

Had you an opportunity of judging, with regard to the management of the female prison, whether she had the activity and energy fitting her for her situation?—I think I never saw a more active and intelligent woman.

Did you ever see her, in the execution of her duties, in the part of the prison occupied by females?—Only occasionally, when I accompanied the committee.

Were you in the habit of accompanying the committee frequently?—Very frequently, on the Sunday after service.

Were you there when the riot took place in the chapel, and the bread was thrown?—I was not there on that Sunday.

Do you know why Mr. Ryde was dismissed from his situation?—I believe his temper was not of the best sort, that he wanted a great deal of temper, and that he differed very much with the visitors and the committee.

Did you think that the medical superintendent's temper was bad or good?—I never had an opportunity, except that of common politeness, of observing it.

Mr. Robert Auld, called in; and Examined.

WHAT office do you hold in the Penitentiary?—Secretary, cashier and accountant.

How long have you held that situation?—Very nearly three years.

Did you, by orders of the committee, send that letter to Mr. Morton Pitt [*a letter being shown to the witness*]?—I did.

What date did it bear?—The seventeenth of May.

Did you send also that enclosure?—I should suppose I did.

Is that your hand writing on the outside?—It is not.

Do you know whose it is?—I do not; I cannot charge my memory whether I made up the packet containing this or not; but that I sent it the same morning immediately that I came to town, the same morning that I had finished copying it, to the two-penny post, in my neighbourhood.

On what day?—The nineteenth; the Monday following the Saturday.

Your letter is dated the seventeenth?—It is.

Look at the post-mark on the letter you have in your hand, and see what date it bears?—The 30th of May.

Can you account at all why that letter, which you say was sent on the 17th, did not reach Mr. Pitt till the 30th?—I cannot.

You are certain as to the fact of your having put up that letter and its enclosure?—I beg pardon; I cannot say whether I made up the packet, or my son did it.

Is that your son's writing?—It is not; nor any person in my employment, nor about my house, writes such a hand.

Did you put the letter yourself into the post-office?—I did not.

Whom did you send?—I cannot say whether my servant or my son.

But you have a distinct recollection of having sent the letter on Monday the 19th?—I have; the committee sat very late on the Saturday evening; my son copied it on the Sunday after he came from church, and we brought it up on the Monday morning; I am quite puzzled to account for the two coming separately.

Mr. Nathaniel Thomas.
(June 17.)

Mr. R. Auld.

Mr. R. Auld.

(June 17.)

Mr. Pitt.—I think I can account for this; it would have been overweight if the whole had gone together, and the two sheets were put up in two covers.

Do you think it was done at your house?—I do not think there was any one there who would be so thoughtful.

Mr. Auld.—I was anxious that the letter should reach Mr. Pitt early; I put it into the two-penny post, knowing that the messenger would not be there so early.

Did you direct it to Mr. Pitt's house in the country or in London?—To Mr. Pitt's house, N° 20, Dover-street; I think I ordered the postage of the letter to be paid also.

You were called in to look into the accounts of the master manufacturer some time ago?—In the month of February 1819, I was first employed in the Penitentiary.

Who was your accountant?—Mr. White.

You laid down some system or scheme for keeping those accounts?—I did; I submitted to the committee the scheme which is now in practice.

You looked into Mr. Hatch's accounts?—Since I was appointed.

In what state did you find the accounts of Mr. Hatch?—That was a very laborious matter taking them up from the first commencement of the Penitentiary; I found them very much confused.

Were they upon the face of them fair accounts?—Upon the face of them they were; it was a minute investigation which led to the proof of their having been improperly made out.

Were there not many things charged twice?—There were.

Did you examine the account of petty cash?—I did.

Is not that a very simple account?—It is.

Were there many errors in that account?—A good many.

Do you recollect what the balance appearing upon the face of the account was?—To the best of my recollection there were two balances, a balance on a sum of money impressed into Mr. Hatch's hands, 15*l.* and on the petty cash account a similar sum.

Did that balance turn out to be diminished or increased, when you looked into the account?—Very much increased.

Was it not a simple account to make?—Yes; there was no great difficulty.

Were there any other accounts you looked into?—Yes, the master manufacturer's account.

Were there any material errors in that account?—It was a most confused managed department, from beginning to end.

Was there strength enough in that department at that time, to keep the accounts according to the arrangement you proposed?—There certainly was not.

Could the accounts have been kept on the principle laid down by you, without additional clerks?—They could not.

Did you examine any other accounts?—I examined the whole accounts connected with the Penitentiary establishment.

Did you examine any accounts of the late secretary?—I did, the whole.

Were those accounts in a correct state?—I cannot give the term incorrectness to them, because it was simply a cash account, bearing, no doubt, on the other account.

Was a great deal of trouble taken by a sub-committee of the Penitentiary, to examine that account, and to state what items should be allowed, and what not?—There were several little omissions, but of a very trifling nature on the whole.

Were all the omissions trifling?—The principal deficiency arose upon the payment of the per centages, which was a very intricate and confused account.

Was there not a considerable deficiency of vouchers?—A considerable deficiency of vouchers, part of which Mr. Thoms afterwards supplied.

Was there any instance of a bill presented for payment, which had been paid by the committee;—There was an instance of a person applying for a sum of money which had stood to him as paid in the cash book, but it was one of those, the voucher of which had not been given in by Mr. Thoms.

No draft had been issued for that sum?—A draft had been issued for that sum.

What had become of that draft; does it appear that that draft had been paid to the tradesman?—It had not, from the application of the tradesman.

What was the amount of that draft?—To the best of my recollection, from forty to forty-five pounds.

What

What is the rule now, in regard to the extent of the sum, for which any draft is issued to the secretary?—The Bank of England will pay no checks under 10 *l.* consequently all tradesmen's bills of less than 10 *l.* are put into *cumulo*, and a check given for the whole.

Mr. R. Ald.

(June 17.)

Was that rule established on your coming into the office?—I believe not; because the same practice appeared to prevail when I came in; I was very desirous that the Bank of England should enable us to make out checks for all sums, but which was declined, notwithstanding the attempt to obtain it.

Was there not a great deal of trouble before the account of the late secretary was reduced to order?—There was.

Was there not a sub-committee to examine that account?—There was.

Who were the members of that committee?—Mr. Holford, Mr. Morton Pitt, and Mr. Davies Gilbert, to the best of my recollection.

Since your appointment, has the business of secretary always been done upon the spot?—It has.

Was it not made a condition with you that it should be so, at the time you came into office?—Yes; but there was a sort of agreement made between the committee and me.

Was it not always done either by yourself or a gentleman on the spot?—It was.

William Burnett, M.D. called in; and Examined.

HAVE you been good enough, according to the wishes of the Committee, to visit the Penitentiary this day?—I have.

Dr. Burnett.

What was the state in which you found it?—I found a considerable number labouring under a complaint in the bowels, but none in a very dangerous state.

Were there many cases of scurvy?—I cannot positively say that now; there were certainly what may be called the remains of such appearances, and from the examination I made I have no reason to doubt the fact.

Do you consider the dietary existing there as connected with the scurvy or the bowel complaint?—In some instances it appeared to have been quite connected with it, in other instances I cannot trace any thing of the kind.

Was the medical treatment that is now practised shown to you?—It was mentioned to me; Dr. Roget answered every question I put to him respecting the treatment of the sick patients, but I saw no written account of it.

Do you consider that treatment to be salutary?—Perfectly so, highly so.

Have you ever served in His Majesty's service?—About seven or eight-and-twenty years in the navy.

Of course in all parts of the world?—In most parts; I have never been in the East Indies, but I have been in most other parts.

Have you seen cases of scurvy?—I have seen many, in different climates.

Did the appearance of the patients in the Penitentiary, bear any resemblance to that disease you have seen in other countries?—Not very strikingly so, except in two or three instances; I do not mean from that to infer that it is not the scurvy, but I refer to the present appearance.

Have you been accustomed to use the same medical treatment as you saw exhibited in the Penitentiary?—I have rarely had an opportunity of doing that, and have never used that practice in that form of discipline.

Not having used that yourself, from the appearances you have seen in the Penitentiary, you consider it as highly salutary?—Perfectly so.

And are quite satisfied, that the patients have been medically treated as they ought to be?—Yes.

Did you examine any of the patients yourself?—A great many.

Did you examine their mouths?—I looked at the mouths of a great many.

And their gums?—Yes.

The feet?—Not in many instances; but whenever there was intimation of the patient, that they had any thing like the appearance of livid spots, then I examined their feet invariably.

Would you recommend mercury to be given in cases of scurvy, in preference to the lime juice?—Certainly not, if it were unconnected with other disease.

Do you consider that diarrhoea as infectious or not?—I can hardly give an opinion upon that; I never saw it under such circumstances as made me believe it was so. I have had a great opportunity as physician of a fleet, and a surgeon of a very large hospital.

Dr. Burnett.

(June 17.)

The subject of infection is such, that medical men decline giving an answer upon it?—Very much so.

Can you form an opinion, whether the disease now existing in the Penitentiary is infectious or not?—I have seen so little of it, I must decline giving an opinion upon that.

What effect would change of air have upon the prisoners?—A very good effect, certainly; though I saw nothing indicating dampness.

Should you think the site had any effect?—I made but a cursory observation upon it; but I know the situation it was in formerly, a very damp situation, for I have seen it; how far that has been corrected by the measures taken I cannot say.

There was nothing in the appearance of the inmates, the officers for instance, that would lead you to think their health had suffered by the situation?—Nothing whatever.

Would not you treat the patients very differently, now that they have the diarrhoea, than if they had only the scurvy?—Certainly; besides the symptoms of scurvy at present are of very little consequence; I find by the Report they have been much more.

Did you see the body of the man who died yesterday?—Yes.

In what state were the intestines?—They were in a state of ulceration.

What do you believe to have been the cause of his death?—I should think the state of ulceration of his intestines, and the effusion.

Is that one of the characters of scorbutic dysentery?—I believe it is, but I cannot speak from personal knowledge, not having made a personal examination of that kind, after scurvy.

What would you recommend, as the best thing to endeavour to stop the disorder prevalent in the Penitentiary?—I think a change of air would probably be the best thing.

Any change of diet?—I have not given the diet much consideration, but being informed upon it, I see nothing objectionable in the diet at present.

Have you seen the diet table that was given to them when the complaint first broke out?—Yes, but I have not given it that attention which I would have done, had I been aware that I was coming here.

Do you think it was from poorness of food that this complaint originated?—I should be disposed to think that was the case.

Now you have seen the effect of the disease in producing ulceration in the bowels, in regard to the person lately deceased, would you nevertheless deem it judicious to give them mercury?—Certainly.

Dr. Hutchison, further Examined.

Dr. Hutchison.

ARE you aware that the cook who gave you the information in respect of the quantity of meat on an ox-head, has stated to the Committee that he did not weigh the bone, and then deducting that, considered the remainder the quantity of meat, but boiled it for many hours, and then re-weighed the meat on taking it out, does the knowledge of that fact alter your calculation?—I stated in my evidence that I had asked the question of the cook; could he ascertain the quantity of meat on an ox-head? he said, by weighing the head before it went into the copper, and then weighing the bones afterwards.

Are you aware that the cook has now given a different account of it to the committee?—I have not given the evidence much consideration.

If the cook weighed the meat when it came out of the water, instead of when he put it in, would it not materially alter the conclusions you have made?—I should think it might. I would beg again to say, that the information I first gave to the committee by letter, with regard to the weight, (for I believe I was the first person to inquire into the circumstance of the quantity of meat upon an ox's head); the evidence I gave was from the cook, whom I found afterwards to have misled me; he gave me the weight of two heads, I now understand, in place of one. In the calculation I made, I referred to the printed Report of the Physicians, in which it will be found that each man had an ounce and a quarter of animal matter each day.

Was that amount made out from an examination of the men themselves?—I cannot say.

[*Mr. Holford delivered in the following paper, which he had received from one of the cooks at the Penitentiary:*]

" June 17th.—Pentagon 6.

Ox heads, weighing one with another 27 lbs. when cleaned	-	21 lbs.
Meat taken from the bone	-	12 lbs.
Bone	-	9 lbs.
Snotters	-	6 lbs.

" *Stephen Davenport, Cook.*"

Mercurii, 18^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

[A LETTER from *Mr. Morton Pitt* was read, in which it was satisfactorily explained to the Committee how the mistake arose as to the delivery of the letter sent from the Penitentiary Committee to him on the 30th of May last: The letter was sent to Mr. Pitt's house, in Dover-street, and it being overweight was opened by one of the servants in the house, and forwarded to Mr. Pitt in the country.]

Sir Gilbert Blane, Baronet, called in; and further Examined.

DID you visit the Penitentiary yesterday?—Yes.

In what state did you find it?—I found a considerable diminution of the scorbutic symptoms, and I made a more exact and particular examination than I did before, and as I might make a mistake, I have committed it to figures, and as they are not easy to recollect I will read it.

*Sir
Gilbert Blane,
Bart.*

(June 18.)

[*The witness read the following paper:*]

Number of Persons not under Medical Treatment, examined by *Sir Gilbert Blane*,
at the National Penitentiary, the 17th of June 1823.

Men	-	91
Women	-	58
Total	-	149

Of these, three were affected with symptoms of scurvy, namely, discolouration and roughness of the skin of the legs; induration of their fleshy parts; gums red, swollen, or ulcerated; all apparently convalescent, but some of them complaining still of pains in their extremities; preternatural languor and debility;—

Men	-	19
Women	-	10

Total - 29 nearly one-fifth of the whole.

Exclusive of these, there were some who had their gums affected without their legs being affected, as follows:

Men	-	11
Women	-	13
Total	-	24

Of these, some were ascertained to have undergone a mercurial treatment, in a recent bowel complaint; in others it was a symptom of scurvy.

As I have found that some of my former evidence had been misunderstood, I have also put in writing what remarks occur to me, which I will read; I was informed that there were 460 persons in the infirmaries, or under medical treatment, of whom 400 were affected with bowel complaints.

I have no doubt of this bowel complaint being one of the forms of scurvy; for, 1st, It obviously owed its existence to the same causes as the others, the chief of which was scanty diet;

Sir
Gilbert Blane,
Bart.

(June 18.)

diet; 2dly, It has been in many cases attended with discharges of blood, to which scorbutic affections are extremely prone, from the great tenderness and weakness of the extreme vessels; 3dly, The state of the intestines, on examination by dissection, are found in a state analogous to the external parts affected by the same disease, namely, the effusion of blood under the surface, and a great propensity to bleeding.

It must be acknowledged that this early appearance of diarrhœa, dysentery, and inward hæmorrhage in this disease, is much more frequent in that which appears at land than that which occurs at sea; that which is met with at sea seldom appears till the last stage of it; those authors who describe the former make much more mention of flux and hæmorrhage from the bowels, also of bleedings from the nose, than those who treat of it as it appears at sea; it is natural enough to suppose that there should be some difference in those cases which arise from scanty *fresh* diet from those which arise from scanty *salt* diet.

With regard to the expediency of mercury in this disease, it is universally reprobated by all the medical officers of the navy; I shall mention but one fact quoted by the English authors on this subject, and well known to the medical naval officers, Dr. Kramer, physician general to the Imperial armies in Hungary, in the year 1720, states, that this disease broke out at that time in this army, and being a new and singular disorder, some of the physicians thought it expedient to make trial of mercury; four hundred men were subjected to salivation, not one of them survived.

I do not mean by this to inculcate the physicians who have been employed in the Penitentiary, for I do not find that they have directed mercury for the scurvy as such, but for the bowel complaint; nor have they carried it to the same excess as in Hungary, I will even go so far as to say, that, however improper this remedy may have been in the beginning, in the first stage of this complaint, while the scorbutic diathesis existed, it is perhaps as good a method of cure as they could follow; now at the end of some months, when this diathesis is become extinct, for I have myself found some cases in which the disease had been long protracted, even longer than those now under cure in the Penitentiary, in which mercury proved a cure after all other means had failed, as I find in the notes of my practice in St. Thomas's hospital.

It never can, in my opinion, be sufficiently deplored that the physicians who have lately been employed in the Penitentiary were not aware not merely of the *superior* virtue, but of the *peculiar* and exclusive virtue of lemon juice, in all the forms of this disease, for I am convinced, that if on the first appearance of the prisoners constitutions being tainted with this disease, they had all been put under a course of this specific, the malady would have been prevented, and cured, *in limine*, in the course of a very few weeks after it was detected.

With regard to the employment of the citric acid in scorbutic dysentery, I know, from the numerous reports made to me in the journals of surgeons, that it is not only innocuous, but beneficial, in those cases which occur at sea, and with regard to those which occasionally occur at land, we have the authority of Dr. Broussel and other writers, that it was found beneficial in those cases of it (and also in other cases besides the scorbutic) which supervened on scurvy in the French armies in the last war.

Are you aware that the two medical officers, who now have the charge of the Penitentiary, were in the practice of giving the citric acid immediately after they entered on their charge?—No, I did not know that.

Then that part of your observation, in which you state it is to be deplored that it was not given, is no longer to be taken in that sense, when you understand, in fact, it was given?—I cannot quite concede that, because there are certain correctives it might have been expedient to have used.

What are those correctives?—The opiates.

But if you learn that the opiate was exhibited along with the citric acid, should you not then think that the medical officers have done all that was required of them in that particular?—That is well ascertained, if the opiates were judiciously used.

Are not the greater number of cases you saw yesterday bowel complaints and diarrhœa?—400 out of 460 in the infirmary.

And the Committee understand you to say, that in those cases you think the exhibition of mercury, as now given, has been advantageous?—Yes.

In point of fact, is not the giving of mercury in simple scurvy universally disapproved of in the profession?—Entirely; I could not speak it stronger than to say, that when I had the direction of that part of the service of which I was a commissioner, if I found a navy surgeon by his journal, who had given a particle of that medicine in sea scurvy, I should have felt it my duty to move that he be struck off the list.

What is your opinion as to the contagious character of the diarrhœa now existing in the Penitentiary?—I should think it not contagious.

Are you aware that three out of the four cases of prisoners who have been in but ten days have got the complaint?—Dr. Latham mentioned to me in the other room, such had been the case.

Does that fact at all shake your opinion as to its being contagious or not?—I own
I have

I have never been able myself to ascertain exactly whether it be contagious or not contagious.

Peter Mere Latham, M.D. again called in; and further Examined.

Dr. Latham.

(June 18.)

WHEN you were first called in to be one of the medical officers at the Penitentiary, did you use the citric acid?—Citric acid was given in the form of lemon juice to every patient labouring under the scurvy, the treatment of whom we superintended from day to day, all that were in the infirmaries.

How long did that practice continue?—It continued for a considerable time in many of them; in some of them it was even never disused; in those in whom it was disused, it was disused because we were compelled to disuse it from its disagreement with the bowels, after trying every means we were aware of to make it agree, such as opiates and aromatics.

Do you mean to extend that answer to all the persons in the prison, or only those in the infirmary?—Only those in the infirmary; when I was examined before, I stated the reasons that induced us to prefer oranges to lemons, because we thought it more likely they would be taken.

Did you give the lemon juice with oranges?—To the prisoners in the Penitentiary we gave oranges, but only lemon juice in the infirmary.

Did the disorder sink under the administration of lemon juice?—Undoubtedly it did; but there are many now in the infirmary who were treated with lemon juice who are still ill, and in whom the diarrhoea now prevails.

You continued to use the lemon juice till you were obliged to abandon it, on account of its disagreement with the bowels?—Yes, and we returned to it again and again in the same patients, and only gave it up at length when we conceived ourselves entirely compelled to do it.

Did you give mercury to them?—Not at that time.

Nothing but lemons?—Lemons and opiates.

Were oranges given in the infirmary as well as lemons?—I do not think they were; we should have given lemon juice in the prison at large, if we had thought they would have been taken.

The Committee understand your objection to the giving of lemon juice in the Penitentiary generally, was the difficulty of getting people to take it, whereas by giving them oranges it was an indulgence they would receive?—Yes; the Committee may conceive a prisoner is a very difficult being to deal with.

Sir Gilbert Blane, Baronet, further Examined.

*Sir
Gilbert Blane,
Bart.*

IS it considered a safe practice to give mercury in those diarrhoeas, the results of which are shown after death to have produced ulcerations of the bowels?—I know no fact that bears against it.

The Committee think there has been some misunderstanding as to the evidence you gave the other day relative to your not having examined the legs of the patients at your first visit; do you wish to give any explanation upon that subject?—As Dr. Latham is here, I should be glad to ask whether he meant it to apply unqualifiedly; it is said simply, I did not examine the legs; I have asserted I had examined their legs.

In point of fact, did you examine the legs; you examined about thirty patients; did you examine the legs of nearly all of them?—To the best of my remembrance, I examined the legs of every one of them.

Dr. Latham.—I did not mean to state it in an unqualified manner; I meant to state that Sir Gilbert Blane had taken his test of the present existence of the scurvy mainly from the appearance of the mouth; that he did not pass over the legs entirely I know, for I saw him examining them.

To Sir Gilbert Blane.—Have you long known Dr. Hutchison?—Yes, twenty-two or twenty-three years.

Did his professional conduct ever come under your observation while you filled an official situation?—Yes, very much, when I was at the medical board of the navy, and since.

State to the Committee what is your opinion of him in his professional capacity?—I can say, from my most intimate knowledge of Dr. Hutchison, I never knew a more zealous, or more correct or skilful officer, among the many hundreds whose characters I am acquainted with.

Sir
Gilbert Blane,
Bart.

(June 18.)

If you had the selection of a medical officer, whom you would think peculiarly trustworthy both as to conduct and character, would you select Dr. Hutchison to fill that situation?—If not in preference, equal to any one I ever knew.

You thought the disease in the Penitentiary breaking down gradually, and in a more diminished form, than when you saw it last?—Yes, in number, certainly; I do not know whether in intensity.

Did you see the body of the man who died the day before yesterday?—I did not.

Mr. Archibald Menzies, called in; and Examined.

Mr.
A. Menzies.

HAVE you served in His Majesty's navy?—Yes.

For how many years?—I have been a surgeon since the year 1791.

Have you been in all climates?—Yes, in all climates.

You have made the circumnavigation of the globe twice?—I have,

Of course you must have seen many cases of scurvy?—I have.

Of scurvy in its simple state and accompanied with diarrhœa?—Yes; I have seen them both.

Cases under those two stages of the disease have been under your own professional care?—Yes.

What was the remedy or remedies you found the most successful in the two climates; be so good as to separate them if there is any distinction of the tropical climates and the climate of our own colder regions?—In all climates I have always found lemon juice, and in warm climates limes by far the best remedy.

Limes and lemon juice in cases of simple scurvy?—Yes.

Now in cases of diarrhœa, those diarrhœas that may be considered consequent to the disease of scurvy?—In those cases I have still continued the citric acid.

Did you ever find those diarrhœas so strong as to prevent you from continuing the use of citric acid, from disagreeing with the bowels?—In many of the cases of scurvy a gentle diarrhœa is favourable; I have generally found it so to the cure of scurvy; in that case I seldom give up the lemon juice, I might reduce it in quantity.

In those cases of severe diarrhœa what was the remedy then effectual?—I found joining opiates with the lemon juice to be very effectual.

Did you ever have any diarrhœas under your care which you could not conquer by using the opiate with the lemon juice?—Many.

What remedy did you use then?—I generally used then gentle aperients, such as Glauber or Epsom salts, in small doses, and joining them with opiates in the evening.

Did you ever use mercury in any form in diarrhœas?—I have, especially when I conceived it to arise from an hepatic affection.

Did you consider it an effective remedy?—Yes, I did.

Did you ever use it so as to affect the mouth?—No; I do not know that I ever carried it to that extent, particularly in a severe diarrhœa.

Did you visit the Penitentiary yesterday?—I did.

In what condition did you find the prisoners?—I attended there yesterday with Sir Gilbert Blane, and we first examined about thirty-seven of the old standards that had been, some of them four, five, or six years in the prison; we examined in all nearly ninety, the rest were new comers, and I think I may state there were, very nearly one fourth of them, more or less affected with the symptoms of real scurvy, many of them very slightly affected in a convalescent state.

Were you informed under what medical treatment that fourth were, who were affected with the real scurvy?—No, I was not.

Were you informed as to the medical treatment of those who were suffering under dysentery?—Yes; I was informed by the surgeon there.

Did you consider that treatment as salutary?—He told me it was, but the practice was new to me.

Who told it you?—Mr. Pratt, the surgeon of the Penitentiary.

Your knowledge then of it being salutary, rests upon the authority of the surgeon of the establishment, the practice being new to you?—Yes; entirely so.

Were any cases pointed out to you in which, in proportion that the mouth became affected, the diarrhœa diminished?—Yes; there were two or three cases pointed out where the patients themselves confessed when their mouths became affected they had fewer motions.

Were the appearances that you saw in the Penitentiary of the disease in those two forms, the simple scurvy and the diarrhœa, similar to the disease that you professionally

professionally have seen in other places on board ship?—The appearance of scurvy certainly was the same as I had seen at sea, and the diarrhœa I cannot altogether speak of, unless I had examined the motions and the general appearances of the prisoners, but I understood it arose in a good measure from the same causes that produced the scurvy, and it is not uncommon for diarrhœas to follow scurvy.

On board ship, in those cases of diarrhœa that terminate fatally, the bowels are ulcerated?—Very often.

Are you aware, that that has been almost generally the case, in those cases that have terminated fatally in the Penitentiary?—No, I am not; but in the cases of diarrhœa I met with during the American war, under the inspection of Sir Gilbert Blane, in the naval hospital, we always found the intestines ulcerated towards the rectum.

Is that ulceration a common circumstance attendant upon diarrhœas that terminate fatally; or is it peculiar to those diarrhœas that may be considered consequential to the scurvy?—Those that were consequential upon scurvy, generally have much the same appearance, a kind of redness and a suffusion of blood under the surface.

Is that a distinctive mark of scurvy?—I believe it is.

In common diarrhœas, are the intestines ulcerated that terminate fatally?—I do not know in common diarrhœas, but in fatal ones in continued dysentery, I have found it so.

Then the Committee may take it as a fact, that in dysenteries that terminate fatally, there is ulceration of the bowels?—Yes.

Do you consider the disease existing in the Penitentiary, as contagious?—No; I have not had that experience of it, to enable me to consider whether it is or not; I hardly consider it is.

You have not had the question before you sufficiently to form an opinion?—No; I have only heard of the case within these two days.

You have stated, that you think lemon juice is the most proper remedy in the case of scorbutic diarrhœa?—In scorbutic diarrhœas, I consider lemon juice a good remedy, but in hepatic diarrhœas, I would change the practice.

Do you think the application of mercury in the common scorbutic diarrhœa is an improper application?—It has been always considered so at sea.

Would you yourself, apply mercury in the common case of scorbutic diarrhœa, that diarrhœa that at present exists in the Penitentiary?—There is one thing I should state, the proportion of mercury they give in the Penitentiary, is very mild, and it is joined with opium, as I understood there, which is an excellent medicine in many cases of scurvy.

Does the soreness of the mouth, which is so much complained of amongst the convicts in the Penitentiary, arise from the disease itself, more than the application of mercury?—Among those that are in the hospital, I really believe it is from the mercury.

Do you think the application of mercury in that quantity, is a good remedy for the disease?—I cannot say; it is a new practice to me.

Is there any difference between the scurvy appearing upon land, and what is considered the sea scurvy?—Land scurvy is a kind of hepatic affection of the skin, quite different from the sea scurvy.

Is the land scurvy often fatal?—No; I never knew an instance of it.

Will you have the goodness to state, whether, in your opinion, there is any single case in the Penitentiary, where the soreness in the mouth arises from the scurvy?—The gums are often affected, when there is very little soreness; those that I call scorbutic, did not complain of much soreness, some did, and of bleeding.

Did that arise from the disease itself, or the mercury?—I constantly inquired whether they had been taking any medicine that affected their mouths; it is very easy to know the gums affected with mercury from those affected with scurvy.

Did you see any case where the affection appeared scorbutic?—Yes, I did.

And not from mercury?—Yes, two or three cases, where they complained very much of soreness of the gums.

Did that arise from scurvy or the mercury?—From the scurvy, I thought.

One of the leading features of the scurvy is soreness of the gums?—Yes, the spongy appearance of the gums.

Mr.
A. Menzies.

(June 18.)

Mr.
A. Menzies.

(June 18.)

Is it not a peculiarity of the scurvy appearing in the Penitentiary, that there should be so much diarrhœa, and so little appearance of scurvy in the gums, and so little appearance of spots upon the skin?—I am not sufficiently acquainted with the diarrhœa of the Penitentiary to give an opinion upon that question, one disease may be owing to that; perhaps that disease may produce the other, it may arise from spare diet or various causes.

Can you form any idea from what this complaint has arisen?—No, I cannot.

— Dickenson, M. D. called in; and Examined.

Dr. Dickenson.

HAVE you been a surgeon in His Majesty's navy?—In the army.

Have you served long in that capacity?—From the year 1795.

In different parts of the globe?—Chiefly in the West-Indies; in Europe; but chiefly in the West-Indies.

How many cases of scurvy come under your notice?—Not many; I have seen scurvy, of course; but not many cases of scurvy have come under my observation for treatment.

Have a sufficient number of cases come under your treatment, to enable you to take upon yourself to give the Committee any opinion upon the treatment of that disease?—From my own experience I should not feel justified in giving any opinion as to the treatment of the scurvy; I am well aware of what every other person almost is, what is considered and has been proved to be the most efficient treatment of the scurvy; but from my own experience, I should not be justified in giving any opinion as to that disease.

Have you had cases of the diarrhœa much under your attention?—Very much.

Did you visit the Penitentiary yesterday?—I did.

What was the state in which you found it, as to the health of the prisoners?—The cases I examined, were cases of diarrhœa and simple dysentery.

Do you mean by simple dysentery, a disease separated from the first disease; you have named diarrhœa so as to make two diseases?—Yes, two diseases; simple diarrhœa is however frequently accompanied by dysentery, and they exist together; but by simple dysentery, I mean to distinguish that disease from the disease accompanied by fever.

Did you consider the diarrhœa you saw yesterday, as belonging to the disease which has so long existed there, which has been called here scurvy?—No case of scurvy was presented to my observation yesterday, the only disease I saw was diarrhœa and dysentery; I can only speak as to the state of the cases yesterday, not being at all aware of the preceding diseases.

Were there not on some of the cases you saw, marks of the scurvy, though faint ones?—There were upon a very few cases; very few were presented to my observation where there were marks of scurvy upon the skin; they were very slight, only two or three; and there were no other symptoms of the scurvy than slight discolouration, very slight.

Was it explained to you the medical treatment that was used towards those patients?—It was.

Was that medical treatment according to the practice you have either used yourself, or seen elsewhere?—The medical treatment and the state of the cases yesterday, was to me very satisfactory; indeed I might venture to make an observation, to go so far as to say, that I should have as little doubt as a case of this nature admits of, that the present treatment of the dysentery cases will ultimately be as efficacious, as I have known the same treatment on many other occasions, where the disease has existed to as great or greater extent, and in a much more serious degree.

The Committee understand you to say, you have seen this disease, in a more aggravated form, give way under the same treatment now practised in the Penitentiary?—Yes; by that implying dysentery and diarrhœa.

Is it your opinion, that the disease, either of dysentery or of diarrhœa, is contagious?—I do not think that the information I have on the subject of the disease which prevails at present at the Penitentiary, is sufficient to warrant me in giving an opinion on that point. I can say thus much, that I never knew diarrhœa, or simple dysentery, contagious where I have had an opportunity of ascertaining all the facts connected with the disorder.

In those aggravated cases to which you have alluded, which have been under your

your care or observation, did you consider those diseases as contagious?—Decidedly not.

Dr. Dickenson.

(June 18.)

You have mentioned simple dysentery in the more aggravated forms of dysentery; do you consider that disease contagious?—I have never known it to be contagious; I believe the European dysentery has been considered contagious by practitioners very generally, and perhaps the disease that in Europe we speak of as dysentery may have been contagious; I cannot take upon me to say that it is not; my experience of dysentery in Europe is very trifling; but the tropical dysentery I never knew to be contagious.

Is it not an opinion entertained by some medical authorities, that those diseases of dysentery that exist sometimes in armies in the field are considered as contagious?—I believe very much so; they have very frequently originated in, and the dysentery has been accompanied by a contagious fever; but I never saw a case of that; it is the generally received opinion that they are so.

Then the fever would be considered contagious, more than the disease without it?—Perhaps entirely; the dysentery may only be considered a symptom of a contagious fever.

What is the distinction between dysentery and diarrhœa?—In dysentery there are discharges of mucus secreted from the surface of the intestines, frequently accompanied with discharges of blood with great pain, a peculiar symptom denominated by us tenesmus; that however occurs in diarrhœa, with liquid evacuations, but frequently, and most commonly, it has those evacuations simply; the evacuations are generally nothing but blood, without any feculent matter, or any of the watery character of diarrhœa. Upon examining the cases yesterday, though they seemed at first to appear more like simple diarrhœa than dysentery, yet upon a more accurate examination, the majority of the patients stated they had tenesmus, which would authorize me to call it dysentery.

Did you see the body of the man who died yesterday?—I did not.

Who accompanied you?—Doctor Johnson, Doctor Latham, and the surgeon of the establishment.

Then did you form your opinion from your own personal examination of the patients, and not the report of those who accompanied you?—From my own observation of the cases, as I saw and examined them.

Andrew Baird, M.D. called in; and further Examined.

WHEN you were last here, you stated you had served in the navy thirty-eight years?—Yes.

Dr. Baird.

What was the extent of your duty as inspector of hospitals?—I had to inspect all His Majesty's naval hospitals and hospital ships, all the prisons, the prison hospitals and prison ships, throughout the kingdom; the marine infirmaries; and His Majesty's ships in commission.

Was that considered a very extensive appointment?—Very much so; it was the first appointment of the kind made by the government; I filled it on its first establishment.

How many years did you fill that situation?—I believe sixteen years.

Did you see many cases of scurvy?—I was going to observe when I was last here, that I saw it in a very deplorable degree on board the first ship I went to sea in, that was in 1781; the man of war I was serving in, performed the voyage to New York in sixteen weeks, a time that would almost seem incredible now; she went with a convoy, the scurvy made its appearance and spread very rapidly through the ship's company, we lost many men, and if we had been at sea a week or two longer, we could not have navigated the ship; when we arrived at New York, we sent a vast number of men on shore, in the very last stage of the disease; at that time we did not possess any idea of the remedy we now have, and consequently the means of preserving it and carrying it to sea were unknown; I mean lemon juice; the use of citric acid has been known from time immemorial, all circumnavigators have stated the advantage of it, and have resorted to it on getting into port; but the mode of preserving it at sea was not known till the year 1795 or 1796; the next time I saw this disease in a very spreading degree, so as to affect the whole fleet, at the time the very existence of the country depended upon that fleet keeping the sea, was in the year 1801, when my Lord St. Vincent took the command of the channel fleet; a short time after we sailed, not more than a fortnight, the scurvy

Dr. Baird.

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made its appearance and spread very rapidly through the fleet; fresh provisions were not then supplied to the fleet as now, nor vegetables; being aware that lemon juice was then in store and could be drawn for the fleet, I expressed to the commander-in-chief my great anxiety that a supply should be had as fast as possible; the fleet was then blockading Brest; a cutter was dispatched to communicate the state of the health of the fleet; a supply of lemon juice came out, and we gave it freely to those labouring under the disease, and daily, mixed with water and sugar, to the whole of the crews of the ships, and continued its use during the time we were at sea, which was nearly seventeen weeks, during which time the fleet had not, as a fleet, a single fresh meal, nor any thing in the shape of an anti-scorbutic but lemon juice; the disease under the use of that, totally disappeared; we returned with twenty-four sail of the line into Torbay, out of which number there must have been ten or twelve three-deckers; and I think, estimating fairly upon the average, there could not have been less than seven hundred men in each; when we arrived, the surgeons of the fleet were desired to make a return of the number of patients fit for the hospital; they made a return of twenty-four; I was directed by the commander of the fleet to examine them, to see whether they were subjects for the hospital; I found eight of them were cases of hernia or surgical cases, that could not be benefited by the hospital; I selected sixteen from them; out of twenty-four sail of the line, besides fire-ships and transports, there was not a single case of scurvy; and what was extraordinary, to such a state of health was that fleet brought, by the use of lemon juice, that the *Glory* had only four men on her sick list, so that out of fifteen or sixteen thousand men, there were only sixteen men subjects for the hospital, and some of those ships had not lost a man at that time.

Were there in the first ship you have mentioned, in 1781, when you went to New York, and in the latter fleet, in 1801, many cases of scorbutic diarrhœa?—In the latter case we had recourse to the remedy so soon, that few cases of scorbutic diarrhœa did occur in the fleet, but in the former case it was always the last stage of the disease, dysentery.

Did you use mercury for the scorbutic diarrhœa?—No, that was a mode of treatment that never occurred to me; I should have felt I was prescribing very injudiciously indeed, when I have seen men who have been under a course of mercury, and had their health impaired and shaken by it, when I have seen those persons the most susceptible of scurvy, one would naturally not have recourse to such a remedy.

You have stated, in the first instance, that the disease of diarrhœa was the last form of the complaint, and in its most aggravated form?—Yes, the last stage of the scurvy; with the permission of the Committee I will go through the stages of the disease; the symptoms of scurvy that I have observed on its gradual progress are these; on the legs and lower extremities purple spots appear, first much resembling those you see on salmon trout; the gums begin to swell and become putrid, the legs and thighs swell much and become discoloured, the limbs contract, great difficulty of breathing follows, a general loss of strength; and in the very last stage of it very often the skin becomes so distended as to burst, producing a sore, not resembling that which would arise from a wound or any other cause, not suppurating but oozing out thinner particles of the blood, bloody serum; and in the latter stage of it, dysentery attended with hæmorrhage and death.

And gangrenous and ulcerated bowels?—Yes, I conclude so; also, I ought to say, bleeding of the nose and those surfaces which are thinly covered with cuticle.

Is there any distinction between the common scurvy and sea scurvy?—I know of no scurvy but sea scurvy; I have heard of a scorbutic disease on shore, but it has nothing whatever to do with the sea scurvy; it is confined to the cuticle, and the constitution is not at all impaired by it.

The disease you are describing is sea scurvy?—Yes; and I would here observe a circumstance I should be glad to see upon record, it is of such moment, and a thing that has never been noticed by any author whatever. On the breaking out of these sores, whilst the patients were taking lemon juice, I blamed myself once for allowing my assistants to be too prodigal in the use of it, inasmuch as the smell in the cockpit gave me reason to believe it had been spilt, but it was the smell arising from the dressing of the scorbutic sores, while the patient was taking the acid, showing how strongly this remedy applied itself to the disease.

You

You have stated, in your account of the disease which you have witnessed, the diarrhœa to be the last stage of it, terminating fatally?—Yes.

Dr. Baird.

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To that stage of the disease, you have stated your objections to the application of mercury?—Certainly.

The Committee wish to know, if in a state of the disease in which the diarrhœa should be one of the earliest forms, would you object to the use of mercury?—Wherever there was an appearance of scorbutic taint, where I could identify it as scurvy, I should not feel it safe to prescribe mercury.

If you found cases, in which the exhibition of mercury had produced a stoppage of the diarrhœa, and in fact relieved the patient of the complaint, would you not consider it was a diarrhœa independent of the scurvy?—I would fear, that mercury would aggravate the scorbutic dysentery; so far from prescribing it under such aggravated symptoms of scurvy, or any symptom of it, in the exercise of my duty, I should have removed a surgeon for ignorance who had prescribed it.

If you found a patient relieved from the complaint, just in proportion as the gums became sore, and were affected by the mercury, would you not continue the use of it?—I think it quite impossible I could be brought to prescribe mercury in a case of scurvy; I never heard of it, nor read of it.

The question applied to cases of dysentery, with some slight remains of scurvy, exhibited with a discolouring of the skin; under those circumstances, would you or not give mercury?—My object would be to remove the scorbutic taint, and till that was gone, I should not apply the mercury.

Did you visit the Penitentiary yesterday?—No; in consequence of what I had heard of the disease, curiosity prompted me to visit it; I called at the Secretary of State's office, but I was given to understand by Mr. Capper, that there was an order issued against strangers visiting it.

The diarrhœa and dysentery often exist without any scorbutic appearances?—Certainly; from change of season, and so on.

Do you think citric acid would be a good remedy, applied either to dysentery or diarrhœa, in the absence of scurvy?—Certainly not.

Do you think that mercury applied to dysentery or diarrhœa without scurvy is an improper remedy?—In the acute stage of diarrhœa or dysentery, I cannot say; I have been in the habit of making that a remedy, but given in the chronic stage of dysentery, when diseased viscera may have been the consequence of it.

Your objection to the application of mercury to the combined diseases of scurvy and dysentery, would not apply to the separate disease of dysentery?—When speaking of dysentery with scurvy; I am speaking of dysentery in its last stage.

You would not have the same objection to the application of mercury in a simple case of dysentery, if it did not arise from scurvy?—No, certainly not.

Have you any documents showing the number of sick in the navy for any length of time, and the extent to which lemon juice had been made?—I have such documents.

[The witness delivered in the following Papers:]

Transport Office, }
16th March 1815. } AN ACCOUNT of LEMON JUICE provided for the Service of His Majesty's

WHEN PROVIDED.	ENGLAND.		MESSINA.	
	Quantity.	Amount.	Quantity.	Amount.
		£. s. d.		£. s. d.
- - - 1796 - - -	24,700 gall ^s 7/	8,645 - -	—	—
- - - 1797 - - -	60,000 - - 9/9	29,350 - -	—	—
- - - 1799 - - -	73,000 - - 9/3	33,762 10 -	—	—
- - - 1800 - - -	60,000 - - 9/	27,000 - -	—	—
- - - 1803 - - -	10,000 - - 8/	4,000 - -	—	—
- - - 1804 - - -	54,200 - - „	21,680 - -	—	—
- - - 1805 - - -	{ 10,800 - - 9/ 10,800 - - „	{ 4,860 - - 4,860 - -	10,000 gall ^s 1/6	750 - -
- - - 1806 - - -	19,521 - { 2/6 4/6	2,685 19 2	50,000 - - „	3,750 - -
- - - 1807 - - -	23,293 - { 2/8 3/	3,476 11 11	50,000 - - „	3,750 - -
- - - 1808 - - -	24,228 - { 2/3 3/11	3,935 15 5	246,354 - { 1/5 1/6	18,058 6 11
- - - 1809 - - -	- - -	- - -	253,467 - - 1/5	17,953 18 10
- - - 1810 - - -	- - -	- - -	102,702 - - „	7,274 14 6
- - - 1811 - - -	- - -	- - -	- - -	- - -
- - - 1812 - - -	- - -	- - -	- - -	- - -
- - - 1813 - - -	11,256 - - 5/	2,845 10 8	84,114 - { 1/5 1/6	6,005 3 8
- - - 1814 - - -	33,756 - { 9/ 10/	16,814 8 11	143,265 - - 1/5	10,147 18 9
	415,554 - - -	163,915 16 1	939,902 - - -	67,690 2 8

N. B.—In August 1800, Dr. Baird, then surgeon of the Ville de Paris, with the Earl of St. Vincent, and doing the duty of physician of the fleet in the channel, suggested to the Sick and Wounded Board, the propriety of reducing the proportion of two ounces of sugar (then administered with an ounce of lemon juice) to one ounce; and on the 7th of that month, the Sick and Wounded Board recommended to the Admiralty, that this plan should be adopted. On the 17th December following, the Board of Admiralty referred to the Sick and Wounded, a similar letter from the Earl of St. Vincent, commander in chief of the channel fleet, with directions to report their opinion thereon. In return to which, the Sick and Wounded Board referred their Lordships to their former letter of the 7th August preceding; and on the 18th December 1800, the Admiralty directed the Victualling Board to carry this arrangement into effect. The quantity of lemon juice provided subsequent to the above arrangement, appears to have been, 1,448,502 gallons; and the saving in the article of sugar, supposing no waste of juice, may be estimated at 5,173 tons, 4 cwt. 1 qr. 20 lbs.; which at £.3. 11. 11½. per cwt. the average price paid by the Victualling Board since the year 1796 up to the present year, would have amounted to £.372,148. 12. 3. Great as the supply of lemon juice has been to the navy, yet it never had been contracted for by public tender; Messrs. Hearsay, Mendham and Co. having been favoured with the exclusive privilege of furnishing it by private agreement, until the year 1803, when Dr. Baird, then a commissioner of the Sick and Wounded Board, urged his colleagues to advertize, the result of which was, that Messrs. Hearsay and Mendham, finding that they had to compete with other bidders, reduced their tender one shilling a gallon, which in the purchase of 64,000 gallons in that year, and the succeeding one, produced a saving of £.3,200; since which period and up to the present, all contracts have been made from public tenders, agreeably to the terms specified in this account. Taking the whole quantity of lemon juice provided since 1803 at the price of 9s. a gallon, being the price purchased at antecedent to the year 1803, the amount would have been £.647,325. 18. instead of £.223,719. 4. 5. showing a saving to the public of £.423,606. 13. 7.; to which may be added, the sum of £.89,298. 8. for spirits of wine to preserve the juice, taking it at 15s. a gallon, which was included in foreign contracts, but not

AN ACCOUNT, showing the number of Seamen and Marines, annually voted by Parliament, in four distinct and equal portions of war, with the number sent to Hospitals, and Hospital Ships on the Home Stations, during those periods, viz.

	YEARS.	Number of Seamen and Marines,		
		Voted by Parliament.	Sent to Hospitals.	
1st Period : Lemon-juice not issued.	- 1779 -	70,000	24,226	or, about 1 in 4.
	- 1780 -	85,000	32,121	
	- 1781 -	90,000	23,812	
	- 1782 -	100,000	22,909	
	- 1783 -	110,000	13,577	
		455,000	116,645 - -	
2d Period: Lemon-juice partially supplied.	- 1794 -	85,000	19,248	about 1 in 6.
	- 1795 -	100,000	20,579	
	- 1796 -	110,000	16,860	
	- 1797 -	120,000	20,544	
	- 1798 -	120,000	15,713	
		535,000	92,944 - -	
3d Period : Lemon-juice in general use.	- 1799 -	120,000	14,608	about 1 in 9.
	- 1800 -	111,538	17,747	
	- 1801 -	131,538	15,082	
	- 1804 -	100,000	7,650	
	- 1805 -	120,000	8,083	
		583,076	63,170 - -	
4th Period Lemon-juice continued in general use.	- 1806 -	120,000	7,662	1 in about 16 $\frac{1}{2}$.
	- 1807 -	130,000	6,535	
	- 1808 -	130,000	7,630	
	- 1809 -	130,000	7,971	
	- 1810 -	145,000	9,965	
		655,000	39,763 - -	

1st.—In the first five years it appears, that out of 455,000 men voted for the service, 116,645 were sent to hospitals, and hospital ships on the home station; equal to about 1 man in 4.

2d.—In the second period of five years, when the beneficial effects of the distribution of lemon-juice, partial as it then was in the service, began to appear, it is found that out of 535,000 men, voted for the service, only 92,944 were sent to hospitals, and hospital ships on the home station; equal to about 1 man in 6.

3d.—In the period between 1799 and 1805, lemon-juice was generally directed to be distributed in the proportion of one ounce of lemon-juice to two ounces of sugar per man per diem, but the proportion of sugar was reduced to one ounce at Doctor Baird's recommendation of the measure to Lord St. Vincent, producing a saving in that article of 12,000*l.* a year in the channel fleet alone, in the year 1801; and it was from the doctor's recommendation of the efficacy of lemon-juice, as a specific in the prevention as well as cure of scurvy, that it was introduced into general use. Excluding the years 1802 and 1803, considered as years of peace, out of 583,076 men voted, no more than 63,170 appears to have been sent on shore on the home stations, equal to about 1 man in 9.

4th.—In the fourth period, out of 655,000 men voted for the service, only 39,763 were sent to hospitals and hospital ships at home, equal to one man in about 16 $\frac{1}{2}$; a proportion falling short of the first period by no less a number than 128,154 men, the expense of whom, if sent to an hospital, taking the average amount of hospital charges for every man sent on shore (exclusive of all salaries and other standing expenses) at the very moderate rate of 5*l.* a cure, would have amounted in this last period to an additional expenditure, in hospital charges, to no less a sum than 640,770*l.*

Taking the total number of men sent sick in the three last periods, short of the proportion sent on shore in the first period, and which appear to have amounted to no less a number than 259,672 men, at the aforesaid very moderate calculation of 5*l.* for the expense of every hospital case, and it will appear that the hospital expenses, in Great Britain and Ireland, have been less in those periods than they would have been had the proportion of sick been the same as in the first period, by no less a sum than (1,298,360*l.*) One million, two hundred and ninety-eight thousand, three hundred and sixty pounds.

Whilst

Whilst the great advantage of lemon-juice cannot be too highly appreciated in relieving the navy of a disease formerly the most destructive to seamen, yet it cannot be denied, that to the great improvement in discipline begun and perfected under Lord St. Vincent, the prevention of ship fever, and other diseases equally fatal, is to be ascribed, and this is completely demonstrated in the difference of sick, as set forth between the third period, when his lordship's system was beginning to work its beneficial effects, and the fourth period, when the rapid decline of hospital cases is from a ratio of 1 in 9 to 1 in 16 $\frac{1}{2}$.

Is there any distinction in your mind to be taken between the use of the citric acid in simple diarrhoea or scorbutic diarrhoea?—Yes; I think I so answered before, that I should not be disposed to give citric acid in common diarrhoea.

Dr. Baird.

(June 18.)

Would you in scorbutic diarrhoea?—Unless the symptoms were extremely urgent, I should; when we first administered it, I had a doubt whether it would not irritate the bowels, and we administered it with sugar: there was sugar issued for that purpose; but I soon found that the citric acid in a diluted state, or almost in its pure state, never disturbed the bowels of the persons labouring under the scurvy.

Supposing a person had a diarrhoea with a confirmed scurvy, would you then exhibit the citric acid with impunity?—Unless in the very last stage of it, I should; a slight degree of diarrhoea would not deter me from administering it; in the last stage of dysentery, when the muscular coat of the intestines became ulcerated, we could look for no remedy.

Suppose a man had had the scurvy, and got well; if he afterwards had diarrhoea, should you consider yourself precluded curing the dysentery by mercury, because a man had once had scurvy?—All symptoms of the scurvy being absent, I should treat the dysentery or diarrhoea in the way that my judgment guided me.

You only object to the use of mercury when there is any appearance of scurvy?—Yes, when scorbutic symptoms are evident.

When a patient labours under scurvy?—Yes.

Should you consider mere specks and discolouring in the hands and legs as a sufficient proof that the disease was so strong as to preclude you from the use of mercury?—I should always look at the gums as the second stage of the disease; I should consider the putrid state of the gums to constitute the disease.

Suppose there was no putrid state of the gums, and a patient labouring under diarrhoea, with a slight discolouring of the legs; should you consider that a state of scurvy to preclude you from the use of mercury?—I am quite unaware of the discolouring of the legs extending to any length in scurvy without soreness of the gums.

Alexander C. Hutchison, M. D. called in; and further Examined.

[A Paper was handed to the witness.]

HAVE the goodness to look at that paper; it is a Table of the Dietaries established in the infirmary till the present physicians were called in; there are eight columns in the table of dietary, under the one or other of which every patient admitted into the infirmary is classed; the first column contains all the patients in the infirmary collectively on any particular day; and each of those patients is entered on one or other of the eight succeeding columns; and the sixth column in that paper contains the number of those who are what is called on full prison diet, which is the diet of the prison without alteration or addition; are the Committee right in that statement?—Yes.

Dr. Hutchison.

This circumstance is stated to explain the paper now to be given in; it is the average number of patients in the infirmary in every month, and also the average number of patients on that column of diet which is the prison diet; and the inference the Committee would draw from that, is, that the medical gentleman who had the charge of the infirmary between the month of July and the time when the present physicians were called in, did not consider that dietary as undermining the health and strength of the prisoners in the prison, as there were so large a proportion of those in the infirmary that appear upon that paper upon that diet. Is that inference a correct one?—To what period am I to apply my answer?

The paper handed to you, contains the average number of patients in the infirmary from the 1st of July 1822, to the 28th of February 1823?—I ought to make a distinction there, because, on the 8th of February, the scurvy had been reported to have existed; and as the patients in the infirmaries were ordered a diet according to the nature of the diseases under which they laboured, and at the same time there being no cause for suspecting the undermining of the health in consequence of

Dr. Hutchison.

(June 18.)

the reduction of the dietary that was established on the 4th of July last year, I say that the dietary, as ordered for the prisoners in the infirmary, supposing this to be a correct paper, that there is nothing in it incompatible with the practice of the medical officers in that institution, so far as regarded the dietary ordered by me to the prisoners in the infirmary; for it must be observed, that the greater number of prisoners were dieted in the infirmary by the surgeon; they were first admitted by him into the infirmary from the prison; some of whom I however had sent up, and then I said what diet they should be upon. When I again visited the patients in the infirmary, it was not my uniform practice to ask what dietary are you upon, but if I saw a man looked weakly, I always asked the question; and if I found him upon low diet, I should say, put him upon full diet, or half diet, so that they were dieted according to the nature of the disease under which they laboured.

Was it the practice of the infirmary for the surgeon to report to you when you saw the patients, upon what diet they were kept?—No, he did not; and I have been told since, accidentally, that, when I have placed patients upon full diet, the surgeon has placed them upon low; and one of the honourable members of this Committee now present heard this statement at the same time it was mentioned to me; it was unasked for on my part; the honourable gentleman will bear me witness in it. I am sorry to say so, but the answer has been extracted from me by the question.

Was not it usual in inquiring into the state of the patients, to ask what diet they were placed upon?—Yes, to be sure it was; and for that reason I wished to be kept at the head of each patient's bed, a paper stating the time of his admission into the infirmary, the nature of the disease, and the diet he was upon; I established that rule, and it was kept up, but not so correctly as I could have wished, there was *H.* for half diet, and *F.* for full diet, and other letters for low or prison diet.

Was not all the medical arrangement completely under your management?—Yes; but how was it possible for me or any man to be aware, that the directions I had given the preceding day were contravened the next by the surgeon.

Was there any other person in the prison responsible for the surgeon not fulfilling your directions?—I should think the surgeon was a responsible man, being the resident medical man there, for my orders being carried into execution.

Were there any other persons that could be responsible for the surgeon not obeying your directions?—No, certainly not; but I was not made acquainted with these irregularities, till after they had taken place, and after I had been removed; these dietaries, I beg to state, were of my own construction.

[The Papers above alluded to were delivered in, and are as follow:]

DAILY AVERAGE of the Number of Prisoners in the Infirmarys of the Penitentiary, from 1st July 1822 to 28th February 1823; and the Number of them on full Diet during that period.

	MALES.		FEMALES.		TOTAL.	
	Number		Number		Number	
	In Infirmary.	On full Diet.	In Infirmary.	On full Diet.	In Infirmary.	On full Diet.
1822:						
July - - -	19	8	22	9	41	17
August - - -	15	6	20	8	35	14
September - - -	17	8	25	7	42	15
October - - -	17	7	29	6	46	13
November - - -	14	7	28	6	42	13
December - - -	15	8	32	12	47	20
1823:						
January - - -	22	9	57	5	79	14
February - - -	28	8	53	7	81	15
TOTAL - -	147	61	266	60	413	121

N. B.—In the above is included two wardsmen in the male, and two wardswomen in the female infirmarys; prisoners in health, on the full prison diet. Leaving them out of the account, the average of the eight months is, 131 males, of whom 46 were on full prison diet; and 250 females, of whom 105 were on full prison diet.

Fractional parts are omitted in the above calculation.

Robert Auld, Secy.

THE COLUMNS.

N° 1.—Is the prison allowance of brown bread and gruel, without soup.

N° 2.—Six ounces of white bread; one pint of tea, morning and evening; one pint of milk, and half a pint of broth.

N° 3.—Six ounces of white bread, fish, one pint of tea morning and evening, and half a pint of broth.

N° 4.—One pint of gruel or tea, morning and evening; nine ounces of white bread, six ounces of beef, unboiled and with bone, one pint of broth, four ounces of potatoes.

N° 5.—One pint of gruel or tea, morning and evening; nine ounces of white bread, six ounces of mutton, unboiled and with bone, one pint of broth, four ounces of potatoes.

N° 6.—The ordinary prison allowance—bread and gruel, with soup.

N° 7.—A pint of gruel or tea, morning and evening; one pound of white bread, nine ounces of beef, unboiled and with bone, one pint of broth, five ounces of potatoes.

N° 8.—A pint of gruel or tea, morning and evening; one pound of white bread, nine ounces of mutton, unboiled and with bone, one pint of broth, five ounces of potatoes.

N. B.—The two wardsmen are included in the full prison diets, N° 6, in each of the male infirmaries; and the two wardswomen in the full prison diets, N° 6, of the female infirmaries.

T. Rickford, Steward.

INFIRMARY, N° 2.

DIET TABLE of the Infirmary for the Month of July 1822.

Day of the Month.	Total Number dieted.	Number on Low Diet.			Number on Half Diet.		Number on Full Diet.			Pints.	
		Prison Bread and Gruel.	Bread, Tea, and Milk.	Fish.	Beef.	Mutton.	Prison Diet.	Beef.	Mutton.		
1.	10	1	1	—	—	—	6	—	2	—	J. Pratt.
2.	12	1	2	—	—	—	7	—	2	—	J. Pratt.
3.	10	—	2	—	—	—	6	—	2	—	J. Pratt.
4.	11	1	2	—	—	—	6	—	2	—	J. Pratt.
5.	12	2	2	—	—	—	6	—	2	—	J. Pratt.
6.	13	2	2	—	—	1	6	—	2	—	J. Pratt.
7.	12	2	1	—	—	1	6	—	2	—	J. Pratt.
8.	12	1	1	—	—	2	6	—	2	—	J. Pratt.
9.	12	2	1	—	—	2	5	—	2	—	J. Pratt.
10.	11	1	—	—	—	4	5	—	1	—	J. Pratt.
11.	10	1	—	—	—	4	4	—	1	—	J. Pratt.
12.	10	—	—	—	—	3	4	—	3	—	J. Pratt.
13.	11	—	—	—	—	4	3	—	4	2	J. Pratt.
14.	11	—	—	—	—	3	4	—	4	2	J. Pratt.
15.	11	—	—	—	—	3	6	—	2	2	J. Pratt.
16.	9	—	—	—	—	2	4	—	3	2	J. Pratt.
17.	9	—	—	—	—	2	4	—	3	2	J. Pratt.
18.	9	—	1	—	—	1	4	—	3	2	J. Pratt.
19.	9	—	1	—	—	—	5	—	3	1	J. Pratt.
20.	9	—	1	—	—	—	5	—	3	1½	J. Pratt.
21.	9	1	1	—	—	—	4	—	3	1½	J. Pratt.
22.	9	—	1	—	—	—	5	—	3	1½	J. Pratt.
23.	12	—	1	—	—	1	7	—	3	1½	J. Pratt.
24.	13	2	1	—	—	1	6	—	3	1½	J. Pratt.
25.	12	3	1	—	—	1	4	—	3	1½	J. Pratt.
26.	11	3	1	—	—	—	5	—	2	1	J. Pratt.
27.	10	3	1	—	—	—	4	—	2	1	J. Pratt.
28.	9	2	1	—	—	—	4	—	2	1	J. Pratt.
29.	9	2	—	1	—	—	4	—	2	1	J. Pratt.
30.	10	2	—	—	—	1	5	—	2	1	J. Pratt.
31.	9	1	—	—	—	1	5	—	2	1	J. Pratt.

MALE INFIRMARY, N° 1.

DIET TABLE of the Infirmary, for the month of July 1822.

Day of the Month.	Total Number dieted.	Number on Low Diet.			Number on Half Diet.		Number on Full Diet.			Pints.	
		Prison Bread and Gruel.	Bread, Tea, and Milk.		Beef.	Mutton.	Prison Diet.	Beef.	Mutton.		
1.	10	2	-	-	-	-	6	1	1	1	J. Pratt.
2.	11	2	2	-	-	-	5	1	1	1	J. Pratt.
3.	12	1	3	-	-	-	6	1	1	1	J. Pratt.
4.	11	1	3	-	-	-	5	1	1	1	J. Pratt.
5.	11	1	3	-	-	-	5	1	1	1	J. Pratt.
6.	10	1	2	-	-	1	4	1	1	1	J. Pratt.
7.	10	1	2	-	-	1	4	1	1	1	J. Pratt.
8.	11	1	2	-	-	2	4	1	1	1	J. Pratt.
9.	11	2	1	-	-	1	5	1	1	1	J. Pratt.
10.	13	3	2	-	-	1	5	1	1	1	J. Pratt.
11.	12	1	2	-	-	2	4	1	2	1	J. Pratt.
12.	12	1	1	-	-	2	5	1	2	1	J. Pratt.
13.	10	1	1	-	-	1	4	1	2	1	J. Pratt.
14.	10	1	1	-	-	1	4	1	2	1	J. Pratt.
15.	8	1	1	-	-	1	2	1	2	1	J. Pratt.
16.	7	1	1	-	-	1	2	1	1	1	J. Pratt.
17.	7	1	1	-	-	1	2	1	1	1	J. Pratt.
18.	6	1	-	-	-	1	2	1	1	1	J. Pratt.
19.	6	1	-	-	-	1	2	1	1	1	J. Pratt.
20.	6	1	-	-	-	1	2	1	1	1	J. Pratt.
21.	7	2	-	-	-	1	2	1	1	1	J. Pratt.
22.	7	1	-	-	-	1	4	1	-	1	J. Pratt.
23.	5	1	-	-	-	-	2	1	1	1	J. Pratt.
24.	7	2	-	-	-	-	3	1	1	1	J. Pratt.
25.	8	3	-	-	-	-	3	1	1	1	J. Pratt.
26.	9	3	-	-	-	-	4	1	1	1	J. Pratt.
27.	10	4	-	-	-	2	2	1	1	1	J. Pratt.
28.	10	1	-	-	-	4	4	1	-	1	J. Pratt.
29.	10	-	1	-	-	4	4	1	-	1	J. Pratt.
30.	7	-	1	-	-	3	2	1	-	1	J. Pratt.
31.	7	-	1	-	-	-	5	1	-	1	J. Pratt.

FEMALE INFIRMARY.

DIET TABLE of the Infirmary, for the month of July 1822.

Day of the Month.	Total Number dieted.	Number on Low Diet.			Number on Half Diet.		Number on Full Diet.			Milk for Child.	Milk for Tea.	Wine.	Beer.	Eggs.	Brandy.	
		Prison Bread and Gruel.	Bread, Tea, and Milk.	Fish.	Beef.	Mutton.	Prison Diet.	Beef.	Mutton.							
1.	26	3	2	2	-	2	12	-	5	1	1	6	1	-	-	J. Pratt.
2.	27	2	2	2	-	2	13	-	5	1	1	6	1	-	-	J. Pratt.
3.	28	-	2	1	-	5	15	-	5	1	1	6	1	6d.	-	J. Pratt.
4.	25	1	2	1	-	5	11	-	5	1	1	6	1	-	-	J. Pratt.
5.	25	1	2	1	-	3	13	-	5	1	1	6	1	-	33	J. Pratt.
6.	23	1	2	1	-	3	11	-	5	1	1	3	1	-	33	J. Pratt.
7.	23	1	2	1	-	4	11	-	5	1	1	3	1	-	33	J. Pratt.
8.	26	2	2	-	-	2	11	-	9	1	1	3	1	-	33	J. Pratt.
9.	26	2	2	-	-	2	11	9	-	1	1	3	1	-	33	J. Pratt.
10.	23	1	2	-	-	2	10	8	-	1	1	3	1	-	33	J. Pratt.
11.	22	1	2	-	-	2	9	-	7	1	1	3	1	-	-	J. Pratt.
12.	24	2	3	-	-	2	9	-	8	1	1	3	1	-	-	J. Pratt.
13.	23	1	2	-	-	3	9	-	8	1	1	3	1	-	-	J. Pratt.
14.	25	-	2	-	-	3	11	-	9	1	1	3	1	-	-	J. Pratt.
15.	22	-	2	-	-	3	8	-	9	1	1	3	1	-	-	J. Pratt.
16.	23	-	2	-	-	3	9	-	9	1	1	3	1	6d.	-	J. Pratt.
17.	23	-	2	-	-	2	8	-	11	1	1	3	1	-	-	J. Pratt.
18.	24	1	2	-	-	2	10	-	8	1	1	3	1½	-	-	J. Pratt.
19.	25	2	2	-	-	2	12	-	7	1	1	3	1½	2 lbs. flour	-	J. Pratt.
20.	22	-	2	-	-	1	11	-	8	1	1	3	1½	-	-	J. Pratt.
21.	22	-	2	-	-	1	11	-	8	1	1	3	1½	-	-	J. Pratt.
22.	22	-	2	-	-	-	10	-	10	1	1	3	1	-	-	J. Pratt.
23.	21	1	2	-	-	-	8	-	10	1	1	3	1	-	-	J. Pratt.
24.	20	1	2	-	-	-	7	-	10	1	1	3	1	-	-	J. Pratt.
25.	21	2	2	-	-	1	9	-	7	1	1	3	1	-	-	J. Pratt.
26.	20	-	2	-	-	3	8	-	7	1	1	3	1	-	-	J. Pratt.
27.	21	-	2	-	-	4	7	-	8	1	1	3	1	-	-	J. Pratt.
28.	21	-	2	-	-	4	7	-	8	1	1	3	1	-	-	J. Pratt.
29.	21	-	2	-	-	4	7	-	8	1	1	3	1	6d.	-	J. Pratt.
30.	19	-	2	-	-	1	8	-	8	1	1	3	1	-	-	J. Pratt.
31.	17	2	2	-	-	-	5	-	8	1	1	3	1	-	-	J. Pratt.

William Courtenay, Esq. a Member of the House, Examined.

*W. Courtenay,
Esq.*

(June 18.)

HOW long have you been one of the committee of the Penitentiary?—I think since about May or June 1821; I am not quite certain as to the date.

How long have you been a visitor?—Since June 1821.

Were you a visitor in July last?—I was.

Can you give the Committee any information as to the formation of the dietary that took place in July last?—There had been for a considerable time previous to that, a very general feeling that the dietary then in use was too full, and there was a general wish in the committee to adopt some alteration in that respect, and the particular diet that was ultimately resolved upon, was suggested, I believe, to the committee, by Mr. Morton Pitt, was recommended by the result of his experience at Dorchester, was undoubtedly very much considered by the committee, and was acquiesced in by me, who had very little experience on the subject myself, not being in a situation to see much of prisons in the country, very much on the faith of his experience, and the experience of other members of the committee; at the same time I do not mean by saying that, to withdraw myself from a full share in making that determination; from all I heard upon the subject of the dietary, I was satisfied that the dietary would be a wholesome one, and beneficial to the prison; and I undoubtedly was very much impressed with the idea, that so long as we attended to their health, it was an object to give to persons in confinement under sentence, as low a dietary as was consistent with their health.

Prior to the committee coming to that determination, had they before them, and did they take into their consideration a letter of Dr. Hutchison, relative to the dietary and the recommendation which it contained, that medical authority should be consulted upon the subject?—They had before them that letter, and they did so far consult medical authority, that individual members of the committee communicated with different persons with whom they were intimate; Sir James M'Grigor was asked upon the subject, and his opinion was stated to the committee by one of its members, as being favourable to the dietary recommended and afterwards adopted.

Was that application made in writing to other persons besides Sir James M'Grigor, in order to obtain their opinion?—I am not aware whether it was or not.

The Committee understand, Sir James M'Grigor was the only person whose opinion was taken upon that subject?—As far as I know, it was.

Were you at all led to believe, from any communication made by Mr. Morton Pitt, that though Dr. Hutchison's letter implied an opinion that another dietary besides that adopted, might be better chosen, that he had acquiesced in the adoption of the one that was chosen, in the nature of an experiment?—Most decidedly; and all subsequent communication which I personally had with Dr. Hutchison, led me to think he considered the experiment properly made.

Was Dr. Hutchison called before the committee, and examined upon that subject?—I cannot, from my recollection, undertake to say whether he was or not, I rather think not.

Were you visitor during the summer and autumn of 1822?—I was; I continued as visitor longer than the members of the committee generally had done, in addition to Mr. Mellish, the custom having only been to have one; I continued my name as visitor, because, from my situation and residence in London, it was thought convenient to have a visitor to whom application might be made on occasions occurring, he being near the prison.

During the autumn or winter of last year, or at any period from the first adoption of the dietary, was your attention particularly directed to the health of the prisoners?—During the visits which I frequently made to the Penitentiary in the course of the autumn and the early part of the winter, I certainly received suggestions, from the matron particularly, and also from the surgeon, that they were afraid the diet was not sufficient for the health of the prisoners, I had not that confidence in the surgeon upon that subject which led me at once to suppose his suggestions well founded, and I can take upon myself to say, that more than once or twice I conversed with Dr. Hutchison, and I was led by him, in whose medical judgment and experience I had confidence, to believe that the diet, as then established, was not affecting the health of the prisoners.

Did the taskmasters, or any officer of the prison, acquaint you that the strength of the prisoners appeared to give way under the new dietary?—Not the taskmaster, nor any person connected with the male department; the suggestions were principally made by the matron.

Were

Were you aware that the matron, surgeon, and other officers of the establishment, had early set themselves against the change of the dietary?—I was so much aware of it, that I confess I did not give all the weight to their representations which, under other circumstances, I might have given.

W. Courtenay,
Esq.

(June 18.)

Did any change take place in the dietary from the time of its establishment to the period when the new one was adopted altogether?—About the month of January, when I was residing at a short distance from London, communications were made to me upon the subject of the health of the prisoners, which brought me to visit the prison early in the month of January; I made a very accurate examination of the prisoners, and on the 10th of January I wrote a letter to the committee, not being able to be present at its next meeting, which if the Committee will allow an extract from, I will read, and afterwards give in.

“The number of sick in the infirmary, particularly of the females, is very alarming; and although it does not appear from Mr. Pratt’s account that there is any particular prevalent disorder, yet if his description of the low debilitated state of the prisoners is accurate, it is impossible not to apprehend that a fever may at any moment appear amongst them, which in so crowded an infirmary it would be exceedingly difficult to conquer. I believe that Dr. Hutchison thinks more lightly of the prevailing sickness than Mr. Pratt does. The committee will probably take pains to ascertain his deliberate opinion, and particularly whether any part of the evil is to be attributed to the present dietary, which Mr. Pratt thinks that it is. If this is the case, it is singular that the sickness appears principally among the women. I hope that the committee will take the trouble to see the matron, and hear what she says upon this subject; and although the committee will not at once make any material alteration in the dietary, yet there is one slight alteration which might perhaps be made (by way of experiment at least) in the female pentagons, which the matron thinks would be more healthy to the women, I mean the substitution of gruel for the soup in the evening; and I should very much like to introduce an article which has not, I believe, been hitherto used, I mean biscuit, which has many advantages; it takes little or no trouble in distribution, is wholesome, and gives something for the jaws and the stomach to do, which the gruel, constantly repeated, may require. I have suggested upon the inclosed paper, a dietary, slightly altered, which probably the committee might feel at liberty to order, after communicating with the governor, to be adopted for a month or two in the wards, leaving the question whether it may be necessary to return to more of a meat diet for future consideration; at any rate, as I cannot be present, I wish to throw this out for discussion.

Proposed Dietary for the Females:

Morning - - - gruel as at present, and half a pound of bread.

Dinner - - - pint of soup, and half a pound of bread.

Evening - - - pint of gruel and a biscuit, 4 oz. weight.

“The alteration from the present is very trifling, but I have reason to believe it would be very acceptable.”

[*The same was delivered in.*]

Might it not be proper to make the soup throughout the prison of a more generous quality in the *six winter months*, by increasing a little the proportion of ox heads?—I was not present at the next meeting of the committee, but I have reason to believe that suggestion was taken into consideration; that Dr. Hutchison was seen by the committee, that the alteration of gruel for soup was adopted; but the committee have more accurate information about that.

The Committee see, by the return of the sick in the infirmary in January last, there were 79, having risen from the month preceding from 47; of course your attention was directed to those cases, from the increased sickness of the prison?—Yes.

What is the duty of the visitor?—I conceive the duty of the visitor, under the peculiar establishment of the Penitentiary, simply to be that of a delegated committee-man, a committee-man delegated to do the duty of superintendents, which the committee is in the first instance directed to do.

How often does the visitor visit the Penitentiary?—Speaking of course only with respect to my own practice, I cannot describe any precise time; I have always visited as it appeared to me the occasion required, with respect to the state of the prison; one of the most important duties I conceived belonging to the visitors is, with reference to the prisoners placed from time to time under punishment; the

*W. Courtenay,
Esq.*

(June 18.)

governor has the power to place prisoners under punishment for a limited period, three days, in solitary confinement; if further punishment is thought necessary, it becomes the duty of the visitor to decide upon it, and I have always felt it to be one of my most important duties to visit the prisoners who might be so confined in solitary cells; when any prisoners were under confinement, my visits have been very frequent; when they were not under confinement they have been less frequent; I should add, that they have perhaps been less frequent from the circumstance of my being so near, that in the event of any thing occurring which required particular attention, I could be immediately procured.

Can you inform the Committee whether Mr. Mellish or yourself visited the Penitentiary once a week?—I should say, undoubtedly, either one or other of us visited three or four times a week.

When you visited the Penitentiary did you go round all the pentagons?—Undoubtedly not; my habit in visiting the prison was, to go into the Penitentiary, and without saying where I was going particularly, if I could, without letting the governor know it, to take one pentagon and walk round it with the officer I might find there.

Seeing all the prisoners in that pentagon?—Yes.

And you did that, sometimes one pentagon and sometimes the other, as you thought fit at the moment?—Just so; occasionally also visiting the infirmary, not very frequently, but occasionally.

If any prisoner had any complaint it was his business to take an opportunity to make it?—It is very generally understood by the prisoners, that if they wish, upon any account, to make any complaint of any sort, if they give notice of it to the turnkey, that they wish to see the visitor, the visitor immediately, upon the first possible opportunity, goes to that prisoner and hears his complaint, and this is constantly acted upon by the prisoners, and I believe that no turnkey would dare to delay communicating such an application to the visitor.

In going round each ward, in any specific pentagon, do you see each prisoner, if in the first class working in his cell, or the second class working in company?—Speaking of my own practice, my habit was to see each prisoner more cursorily where nothing particular called my attention, and more accurately if any thing appeared to call it.

Of course directing your attention to the cleanliness and order of the cell, and the appearance whether in the first class or the second?—Unquestionably; I will also add, that upon all occasions, when I went to the Penitentiary, I called for the governor's journal, and examined what was reported by him as having occurred since I was last there, and I almost invariably communicated with the chaplain.

Is there any journal kept by the visitor?—No journal, certainly; I have understood, that before my appointment as visitor, it was the habit to write a good deal in what was called the Visitor's Book; I began that, but I very soon found, that from my occupation, I had not time both to write and act, and I thought it more important to do what I thought essential than to employ my time in writing; I confess, therefore, during the last year and a half I have not been in the habit of writing in that book.

Did you communicate to the committee at the time it met, either in the nature of a written report or a verbal one, any occurrences that had taken place in the interval?—Unquestionably; frequently in writing; if accident prevented my communicating in writing, I constantly communicated to the committee verbally what had occurred.

If you had made, in your situation as visitor, any alteration, either as to the punishment or as to the treatment of any prisoner, you felt it your duty to communicate it to the committee?—Certainly; I always did so; I may be allowed to add, when I say I omitted writing in the visitor's book, I wish to be understood I have not omitted communicating to the committee every thing that passed, either with respect to my own conduct as to any particular prisoner under confinement, or the appearance of the prisoners generally.

Were many complaints made to you during the summer or autumn of the last year, either from males or females, with respect to the dietary?—I think not, certainly not; occasionally a complaint was made; but certainly the prisoners generally did not complain of the dietary.

Did they ever complain of constant hunger, and a sense of weakness in the stomach?—Certainly not to me.

Were you ever struck with any change of the appearance during that period, either

either among the males or the females, their countenances less florid, and a less general appearance of sturdy health?—I was not struck with any such alteration of appearance, till about the month of January, then I did certainly observe it, when the cold weather was beginning to operate.

*W. Courtenay,
Esq.*

(June 18.)

Did you attribute it to the uncommon variability and badness of the winter, more than to the circumstance of the change of dietary?—I do not feel competent to form a satisfactory opinion upon that point; I doubted to what cause such alteration was attributable, and I felt that it required the experience of some time to come to a satisfactory conclusion about it; I conceived, as far as any opinion of my own could go, that the weather and the state of general unhealthiness which prevailed about that time must have considerable effect.

Do you remember Sir James M'Grigor visiting the Penitentiary on the 14th of February?—I have heard he did, I was not present.

Did he make any report, to your knowledge, on the state of the health of the prisoners?—Not to me, certainly.

The governor has the power of keeping a prisoner in solitary confinement three days?—Yes.

And within that period he must report to a visitor?—He immediately reports it to the visitor, he enters it in his journal, and in case the visitor should not come so as to see it in his journal, he makes a report to them; the man is liberated of course at the end of three days, unless the visitor thinks right to continue him.

The governor has no right to inflict corporal punishment on any individual?—No, nor any of the committee.

Has corporal punishment ever been inflicted to your knowledge?—No.

Would it not be considered as a great offence on the part of the governor, or any of the trustees, to presume to strike a prisoner?—Undoubtedly; it would be an offence the committee would visit most seriously.

Is there a specific rule against it?—Yes there is.

Are the punishments of solitary confinement frequent?—They have been more frequent in the early part of my visiting, than in the latter part.

Have you ever had persons confined in solitary confinement for any long term; can you state any maximum?—I think I remember one or two persons confined for nearly three weeks.

Women or men?—Men.

Men or boys?—Men; in consequence of a very severe riot, attended with circumstances of very great violence.

An attempt at escape?—Yes. With respect to punishments generally, it would be found upon accurate investigation, they were inflicted upon a small number of individuals among the prisoners; that is, that the same individual rendered himself liable to punishment frequently, not that a large proportion of the prisoners were punished.

Has your attention ever been directed to the degree of effect that that punishment has upon the three classes, males, females, and boys?—I have considered it a good deal, and the result of my observation is, that, upon boys it has not a very great effect, that it has most effect upon the women; but that it does operate also beneficially upon most of the men. The number of women who have been subjected, under my superintendence, to solitary confinement, has been but few, although the cases in which individuals have been so confined, have been much more numerous; that is, that individual women have been guilty of such repeated offences as to render it necessary for them to be confined repeatedly; but with the generality of the women, I have found that kind and judicious treatment, which I think they generally experience from the matron, has operated to keep them from committing offences that called for punishment; some few hardened prisoners, form of course an exception to this general rule.

Peter Mere Latham, M.D. further Examined.

HAVE you any information to give the Committee?—I have to offer to the Committee the request of Doctor Roget and myself, which appears to us to be a reasonable request; we have been employed a quarter of a year at the Penitentiary with the unqualified approbation, as we believe, of our employers; it has been thought right to send in various physicians and surgeons, to the number of eight, to observe the nature of the disease, and give opinions concerning our practice. We have hitherto made no objection whatever to this; nevertheless, we do not regard any of the individuals who have been so sent in, as a just appeal. Some have been

Dr. Latham.

Dr. Latham.

(June 18.)

sent to the Penitentiary, because they have been considered to have peculiar experience in particular diseases ; others, because they have practised in the East Indies or the West Indies ; one has been surgeon of a ship in the Levant, and another in the North Sea. We beg to observe, that there are physicians, who, although they may not be considered to have peculiar experience in any one disease, yet they are considered to have their minds imbued with just principles of medical practice ; we say, that those physicians are at hand, and they are men who are exercising their profession with the universal approbation of mankind. Our request, therefore, and our just request as we conceive is this, that if any further appeal be made to other medical practitioners, they shall be selected from this class ; and we beg further to say, we shall acknowledge no appeal as a just appeal, unless it is made to Dr. Baillie, Sir Henry Hallford, Dr. Warren, or Dr. Maton. We do not consider that we have at all suffered by any opinion that has been given by any medical men that have been commissioned to visit the Penitentiary ; on the contrary, our practice has been confirmed and approved of ; yet it must be felt, that our minds are kept in a perpetual state of irritation by these men visiting there ; and any medical man's practice must be very accurate that will endure the criticism of eight of his brethren.

Jovis, 19^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

E. Bootle Wilbraham, Esq. a Member of the Committee, made the following Statement :

*E. B. Wilbraham.
Esq.*

(June 19.)

AT the desire of the Committee, I beg to deliver in the correspondence which took place between me, as the then chairman of the committee of the Penitentiary, and Doctor Hutchison, in the month of June last, respecting a transaction in which he was concerned ; the whole consists of letters, with the exception of the last, which is a Statement drawn up by me on the twentieth of that month, June 1822, left with the other papers, sealed up and carefully preserved from the knowledge of every person concerned, except the members of the Committee who happened to be present when the discussion took place ; they were sealed up under my own seal, and carefully kept unseen by the secretary, who had not himself access to them until lately. Mr. Courtenay, as a visitor, having given certain information to the committee, I wrote this letter at his desire, which I will now read.

[It was read, as follows:]

“ Dear Sir,

N^o 1.

June 7.

“ I write at the desire and under the direction of the committee, on a subject which can with more delicacy and convenience be touched on in this manner than in conversation. In the course of the discussion on the medical report made on the death of Mary Turner, some circumstances connected with the treatment of that patient in her last moments, appeared to us to deserve inquiry ; the result has been, that we have discovered, with much regret and concern, that a suspicion is entertained by different individuals, and is even spreading amongst the prisoners in several wards, that the directions which you give in cases which come under your consideration after dinner, are marked with a haste and precipitation which are not observable in an earlier part of the day. On this subject I presume that it is not necessary that I should be more explicit, but the committee think it right that you should be made acquainted with the fact, and that I should, at the same time assure you, that this matter, which has undergone their most serious consideration, has never been hinted even to their secretary, who was always desired to quit the room before it was alluded to, nor to any one but those members of their body who attended the last few meetings. The committee are extremely unwilling to suppose this suspicion well founded, and conceive that any formal inquiry into the grounds of the reports, might produce consequences unpleasant and injurious to your well founded reputation, and they beg you to be assured, that their motive in making you this communication, is of the most friendly nature, and with the sole view, that without its being known to any body in the Penitentiary that such communication has taken place, and without your taking any steps to disprove the grounds of the suspicion which unfortunately prevails, (a measure which on every account they

strongly

strongly advise not to adopt, it being obvious that the matter never can be brought to issue) you may be enabled to dispel the impression, and may trust to time and to yourself entirely to remove it. You will, I am certain, forgive me for suggesting a wish, that any acknowledgment of this letter may be in writing, as I consider myself merely as conveying the sentiments of the committee; and as I do not wish to trust to the accuracy of my own memory in reporting any thing which you may feel desirous of imparting to them.—Believe me, dear sir, &c.”

“To Dr. Hutchison.”

N^o 2.

“Dear Sir,

Leicester-square, Friday evening, 7th June.

“I have received the letter you did me the honour to write of this day's date; and although I imagined that I had lived long enough in the world not to be surprized or astonished at any attack made on a man's character, yet I confess that I have experienced both on the perusal of your letter. I have, sir, been a servant of the crown for a period of twenty-two years, and this is the very first instance that has occurred to give me one moment's pain or uneasiness, as regarded my own character in any sense. You will excuse me, therefore, if I should, in the observations I have to make, express myself with some warmth and indignation at the unfounded attack on that which I hold dearer than my life—my good name. In the first place, I consider it to be in justice due to me that my calumniators should be named, with a view to the thorough investigation into the motives which instigated them to the vile imputation mentioned in your letter. Secondly, I consider that the particular circumstances alluded to, with regard to the ‘treatment of Mary Turner in her last moments,’ should be expressly stated, that I may know in what the charge consists. As to the latter, however, I can now from recollection, without moving from the chair on which I sat to read your letter, acquaint you, for the information of the committee, that, at the period named, I found Mary Turner had become suddenly much worse, her pulse weak and quick, and her breathing difficult. I saw her approaching end, and desired the surgeon who accompanied me to bring her a draught, which I then prescribed, and which he said he would give her when we had gone round the other wards. My reply was, ‘No; you must bring it now, and I will see her take it.’ The matron and chaplain were present at the time; prayers were read, to which I attended: and just at the conclusion, the surgeon came with the draught, which was exhibited to her in an erect posture. She was then quite sensible; and when I was about to leave the institution, after seeing other patients, I heard that the poor girl had just expired. I think, therefore, I have some reason to demand of those who informed the committee, ‘that the directions which I give in cases which come under my consideration after dinner, are marked with a haste and precipitation which are not observable in an earlier part of the day,’ in what that haste and precipitation consists, or in what other case or cases it has been observed. I have certainly been accustomed, like most other gentlemen, for a considerable period of my life, to take such a quantity of wine at dinner as my constitution, under professional fatigues, requires; but I challenge any one to say, that they have ever seen me under its influence, so as to interfere in the slightest degree with the proper performance of my professional duties. I have taxed my memory, however, for an instance that the most inveterate malice could seize upon to misrepresent; and with the same openness which I wish my enemies, whoever they be, would exercise, I beg to state, that, on one occasion, I recollect having been obliged to dine with the governors of a charitable institution, where I partook of wine not of as good quality as usual, and felt the ill effects which such situations have, I doubt not, entailed upon many, who little deserve such imputations. Being called to the Penitentiary, I recollect remarking the following day to the chaplain and surgeon, that most probably they were sensible of some alteration in my manner the previous evening; but I *will never* allow for a moment that this occurrence *did* or *could* prevent the more serious and proper discharge of my professional duties. I would take the liberty to ask, ‘Can the committee expect, that, in addition to the far more numerous visits which I pay than those required by my instructions, I am, in cases of trifling moment, or in those where human aid must be unavailing, by remaining longer than needful with the patients, to squander the time on which alone depends the bread of my family?’ During my six years attendance at the Penitentiary, I have frequently met many of the different members of the committee in the evenings; and I beg to appeal to them, whether they ever saw any inconsistency or incorrectness in my conduct on those occasions? I cannot, therefore, subscribe to the opinion of the committee, that so

E. B. W. Abraham,
Esq.

(June 19.)

E. B. Wilbraham,
Esq.

(June 19.)

serious a charge, striking as it does at the root of both my character and subsistence, is not to be disproved; and I think I have a right to demand from the committee, that, in justice to me as a faithful public servant, and to themselves as guardians of the institution, they will not screen from me my cruel calumniators, or leave me without a possibility of exposing their baseness, or of extricating myself from their malicious snare. I may add, that it would be only just to the other officers of the institution, that the propagator of this falsehood, and the motives that instigated it, should be known, as I must otherwise ever look with distrust upon the probity of all with whom I have to act. I beg to thank the committee for their intended delicacy towards me; but to assure them, that my conduct has ever been such as to court the light, rather than to shun it; and that I feel confident the disgrace of an evil report will always fall on the inventor, and not on the man whom he attempts, from whatever motive, to injure. I beg permission to thank you, Sir, individually, for your polite attention to me; and I have the honour to be, dear Sir,

“Your very obedient and very humble servant,

“*A. C. Hutchison.*”

“*E. Bootle Wilbraham, Esq.*
 &c. &c.”

N° 3.

June 13, 1822.

“Dear Sir,

“Since I wrote to you last, I have had an opportunity of seeing such of the members of the committee who are in Parliament as are in town, and I write at their request on the subject of your letter. We regret that you do not feel disposed to take the well meant and friendly advice which I was desired to give you, especially as subsequent circumstances have proved to us more strongly the necessity of the communication then made. We are anxious to correct the misapprehension under which you appear to us to labour, that the imputation to which my letter alluded, rests on the statement of an individual; we can assure you on the contrary, that the information on which we are acting, and which, we are fully persuaded, could not have originated in any malicious motives, has been confirmed by more than one or two persons; and we fear, that the impression prevails much more extensively than you imagine. Under these circumstances we strongly suggest to you the expediency of re-considering your demand for public inquiry, as also to weigh well the motives which alone induced the committee to direct me to write to you. Motives, which you do not appear to us fully to have appreciated, and which originated entirely in our personal respect for you. As the committee meet on Saturday next, we trust that you will before that time have turned the matter over in your mind, and that you will enable me to lay before them a letter more in unison with the view of the subject which influenced them in the communication which I was directed to make to you, than that which I have had the honour of receiving.—I am, dear Sir.”

“*Dr. Hutchison.*”

N° 4.

“Dear Sir,

Leicester Square, 14th June 1822.

“Your first letter of the 7th instant intimated, that ‘some circumstances connected with the treatment of Mary Turner in her last moments, having appeared to the committee to deserve inquiry, the result of that inquiry had been the discovery of a suspicion being entertained by different individuals, and which was even spreading among the prisoners, that the directions which I give in cases that come under my consideration after dinner, are marked with a haste and precipitation not observable in the earlier part of the day. That the committee thought I should be acquainted with the fact, and while they assure me that the matter having, in the strictest secrecy, undergone their most serious consideration, and that they are extremely unwilling to suppose the suspicion well founded, yet conceiving that any formal inquiry into the grounds of the report might produce consequences unpleasant and injurious to my well founded reputation, they make this communication with the sole view that I may be enabled to dispel the impression, and that I may trust to time and to myself entirely to remove it, without my taking any steps, however, to disprove the grounds of the suspicion which unfortunately prevails, a measure which on every account they strongly advise me not to adopt, it being obvious that the matter never can be brought to issue.’ This appears to me to be the real import and substance of your letter, divested of the very kind and friendly language in which it is conveyed; and I should do great injustice to my own feelings towards the committee, if, when I observe that they manifestly think the suspicion may not be entirely without grounds, I did not gratefully acknowledge that with such an impression on their minds, they have acted with the utmost tenderness and kindness to me, and

and that their well meant advice being in the spirit of that impression, is consistent with, and equivalent to, a kind admonition to behave better for the future.

“ But knowing myself to be wholly free, both in thought and deed, from incurring the slightest suspicion of the kind alluded to, the committee will as men of honour and feeling admit, that it is not in human nature to acquiesce silently in an unmerited and unworthy imputation, much less to forbear demanding the evidence on which a suspicion could have arisen, that I am capable of a vice disgraceful to me as a man, and ruinous to me professionally. Without a moment's delay, therefore, I answered your first letter, in the way that any innocent man would have answered it; showing, as I think, that my treatment of Mary Turner, evinced any thing rather than haste or precipitation; and indignantly denying the conclusion drawn from that case, as well as the existence of even the shadow of truth in any other information from which it may have arisen. I am sorry to observe, but with all deference, that in considering this answer, the committee do not appear to have placed themselves exactly in my situation; else your second letter, of yesterday's date, would not have expressed their regret that I should be disinclined to take their friendly and well meant advice, the more especially as you state, ‘ subsequent circumstances have proved to them more strongly the necessity of the communication then made;’ you add, that ‘ the imputation alluded to, rests not on the statement of an individual, on the contrary, that the information on which the committee are acting, could not, they are persuaded, have originated in any malicious motives; that it has been confirmed by more than one or two persons; and that the impression prevails, they fear, much more extensively than I imagine.’ Finally, the committee, under these circumstances, strongly suggest to me, the expediency of re-considering my demand for public inquiry; as also to weigh well the motives which had alone induced them to write to me; motives which I do not appear to them to have fully appreciated, but which originated entirely in their respect for me. Permit me, dear Sir, to request you to state to the committee, my hopes that they will bear with the infirmity of my temper, if I express an honest indignation at being advised to shrink from a public inquiry into my conduct; which, in other words, is plainly and palpably saying, that I dare not meet it. I appreciate entirely the motives of the committee, on the supposition, which is no longer doubtful, that they are convinced of my having given cause for the disgraceful suspicions in question; for on any other supposition, the advice they reiterate is a cruel indignity, being neither more nor less than desiring me to acquiesce quietly in the infamous charge of drunkenness, and to reform my conduct. It is now evident that a conspiracy has somewhere existed, the first object of which is probably to drive me from the services of the committee, and its certain effect must be to ruin my professional character. It cannot be supposed that I can bear such imputations with indifference, however conscious that they are as thoroughly false as the authors of them are malicious. Neither, although it must be always humiliating to be placed on one's defence, do I complain that the committee had felt it their duty to pursue a secret inquiry into my conduct, to such an extent as seems to have produced conviction in their minds against me, before they called on me for my defence, or to confront my calumniators. But knowing that truth must ultimately prevail, denying as I most solemnly do, that I ever furnished the slightest appearance of grounds for the imputations against me, I beg to urge more earnestly than ever, my request for an immediate public inquiry; intreating of the committee no further indulgence, than that as an act of justice, they will in the mean time divest their minds of any prejudice which the unfounded insinuations hitherto conveyed to them may have created; and not doubting that they will show at least as much alacrity in admitting proofs of my innocence, as a sense of duty has compelled them to display in entertaining the charges against me. This much I owe to the vindication of my character; but to testify to the committee my anxiety to stand well in their opinion, I beg, in the entire ignorance of any specific facts that may have been alleged to my disadvantage, to trespass on your time with a few considerations as to the improbability of the charge, which must naturally arise out of the tenour of my past life. No one of a sudden can be addicted to the despicable vice of inebriety; least of all a medical man, whose hopes of honest fame and fortune are altogether founded on sober and temperate habits. It is well known that, emergencies excepted, the usual hour of my evening visits has been seven o'clock, and as one cannot easily dine before five, the interval of an hour or two will allow of but a very moderate quantum of wine. I have frequently met members of the committee on those occasions, and I appeal to them, whether I have ever, in the slightest degree, given them cause to entertain such an opinion.

E. B. Wilbraham,
Esq.

(June 19.)

E. B. Wilbraham,
Esq.

(June 19.)

of me. In the course of my six years services, I have never failed to attend within two hours after being sent for to any case of difficulty or emergency in the Penitentiary, and those were not unfrequent of an evening; and it is well known that the officers of the establishment have often intrusted their own lives, and those of their families, even in dangerous cases, to my judgment, at all hours of the evening, without any obligation on their part or mine, to consult or prescribe; all which is incompatible with the suspicion now for the first time promulgated. Besides I would beg to inform the committee, that not only is a considerable part of my private practice performed in the evening, which often includes perilous operations, but that I have been for two years past of the council of the medical and chirurgical society, and a president of another medical society; all of whose discussions are at night, which I seldom or ever fail to attend, and participate in; all which would have been impossible, if I were in any degree addicted to the vice and folly of drinking; as in that case I could not hope either to conceal the infatuation, or secure the good opinion of my fellow practitioners. But not to rest this question, which is to me of the utmost importance, on mere probabilities, I beg to enclose the declarations of a few of my most intimate friends; of men, whose honour and respectability cannot be questioned by the committee; who have seen me at all hours, and most frequently after dinner, as it is in their society chiefly that I have the pleasure of passing any leisure time at my disposal. If such a wretched habit as that of inebriety had ever grown upon me, they could not possibly be ignorant of it, nor countenance, much less palliate or deny, its existence; and although the want of time has for the present made me limit these testimonials to my more immediate acquaintances, yet it would be very easy for me to enlarge them to a number equal to all the prisoners in the Penitentiary; and I mention this, because I shall willingly consent to forego the benefit of such a mass of testimony in my favour, if one solitary individual of all who know me in private life can be found to assert the contrary. I lament that, in the absence of any tangible facts, I am thus driven to answer general suspicion by an appeal to my general conduct; and I trust that you and the committee will excuse any earnestness with which I may have entered upon my defence against a most odious charge, by considering that it is of the last consequence to my present and future happiness, that I should not leave a vestige of it unrefuted.

" I have the honour to be, dear Sir, with great respect,

" Your most obedient and very humble servant,

" *A. Copland Hutchison,*

Medical Superintendent,

General Penitentiary, Milbank."

" *E. Bootle Wilbraham, Esq.*
&c. &c."

[*The following Testimonials, enclosed in the above, were read :*]

" Sackville-street, 14th June 1822.

" Having heard, to my great surprise and astonishment, not without indignation, that insinuations have been thrown out respecting the character of Mr. Copland Hutchison, as a man of sobriety, I feel myself irresistibly induced as a tribute to truth and justice, to repel all such imputations. This gentleman has been intimately known to me for twenty years; I have seen him in that time in every possible circumstance of conduct and duty, public, private, professional and social, and I can aver upon oath, if required, that I have never, either seen or heard the smallest symptom, imputation or insinuation of the kind alluded to; on the contrary, I do not believe a man can be found more sincerely, conscientiously and ably devoted to his duties, nor more incapable of tarnishing his character by such a degrading habit, as the one alleged; nor could such a report have originated, but in the grossest misapprehension or malignity.

" *Gilbert Blane,*

" First physician to His Majesty."

" Saville-row, 15th June 1822.

" The report affecting the character of Mr. Alexander Copland Hutchison as a man of temperate habits of life, having been communicated to me, I voluntarily come forward and declare from my own personal knowledge, that the charge implied in that report is false, groundless and malicious.

" I have had the pleasure of being acquainted with Mr. Hutchison for the last fourteen years, and during the last five years, our acquaintance has been of the most intimate kind. As a friend, as a colleague at two public institutions, and as
a medical

a medical man of superior talents, I have had innumerable opportunities of studying, investigating and appreciating his character. *E. B. Wilbraham,*
Esq.

"I have seen him under all circumstances and at all hours of the day; I have frequently called him to the assistance of some of my patients, and indeed, of some of my own family at all hours of the night, and I have yet more frequently called myself on him in the evening, to converse on medical and other general subjects, on none of which occasions has he appeared to me to have been otherwise than perfectly collected, and in a perfectly fit state to exercise his professional duties on the most important emergency, and in a manner to deserve that approbation which has never been withheld from him during two-and-twenty years of an arduous medical career.

(June 19.)

Of him, as a gentleman, I feel it needless for me to say a single word, and to the truth of the present declaration, I pledge my honour.

A. B. Granville, M. D.

"Physician to the Duke of Clarence."

"I do certify, that having known Dr. Alexander Copland Hutchison for a period of upwards of twenty-one years, I can with great truth and sincerity declare, that I have found him a most able surgeon and sound medical practitioner; and that in the duties which he performed as surgeon of a great public hospital, of which I had the superintendence, as well as from all I have witnessed of him as a practitioner in this town, and I have had many opportunities of meeting him in evening and morning consultations, he has always conducted himself with the greatest zeal, professional judgment and propriety, combining therewith the utmost kindness, humanity and attention to his patients. It is with the greatest surprise and concern that I learn his character has been aspersed, and even inebriety alleged against him. This charge, from the thorough knowledge I possess of him, I can only ascribe to the most malignant motives, for I cannot regard it in any other light than an unfounded and cruel calumny.

"In addition to what is above stated, I beg to say, that Dr. Hutchison was my medical attendant for several months, during a most serious illness, and I have always found him exercising those excellent qualities which I have already given him credit for, to all of which I am ready and do desire to verify upon oath.

A. Baird, M. D.

"Late inspector of His Majesty's naval hospitals,
and of His ships in commission."

"Little Stanhope-street, May-fair,
14th June 1822."

"30, Craven-street, Strand, 14th June 1822.

"Having to my great astonishment been informed by my very dear and most intimate friend, Dr. Copland Hutchison, that certain insinuations had been conveyed to the managing committee of the Penitentiary, importing that the Doctor in his evening visits, was occasionally less competent to his professional duties than at other times, and that those insinuations had in fact, produced an impression on their minds equivalent to an opinion that he had been sometimes in a state of inebriety; I feel it to be the nearest act of justice, unsolicited by my friend, to come forward with my solemn testimony, founded on an uninterrupted intimacy of six years; which testimony, it is hardly necessary to say, I shall be ready to confirm on oath.

"I do therefore most solemnly declare, that for the last six years, there has been seldom a week in which I have not had the pleasure of a visit from or to the Doctor (but happily very seldom on professional subjects); that nine times in ten those friendly calls were in the evening, and that I have several times dined and supped in his company; and I solemnly testify and declare, that I never did, for one moment, observe the Doctor to be in the slightest degree elevated by drinking, least of all in such a state as should deter me for an instant from trusting my own life, or the lives of my children, to his eminent skill; and as our intercourse was at all hours of the evening, and with the same unreserved confidence as between brothers, I hold it to be utterly impossible that he, of all men, could have been frequently overtaken by inebriety, or even elevated with wine, without my ever having perceived the slightest appearance of it.

John Finlayson,

"Actuary of the National Debt."

E. B. Wilbraham,
Esq.

(June 19.)

" To Dr. Copland Hutchison, Principal Medical Superintendent to the Penitentiary,
Surgeon to Westminster Dispensary, &c. &c.

" 37, Bedford-street, Covent Garden,
June 14th, 1822,

" With feelings of sincere regret, my dear Hutchison, at the uneasiness it must occasion you, and of amazement at the daring boldness (I had almost said wickedness) of your unknown accuser, I have just heard that the most degrading imputation has been levelled at your (I trust) invulnerable character, and my natural impulse at once irresistibly leads me to express my sentiments upon it. The inebriate is so decided an object of my disgust and fixed aversion, that it would be as possible for fire and water to assimilate, as for me to form a friendship for such a man; yet I avow to the world, that I am proud of the friendship of my *temperate* friend Dr. Copland Hutchison; and I solemnly affirm before God, that if you were the intemperate man you have been represented to be, no power, no interest, no persuasion, should induce me to violate my conscience, to abandon all sense of moral rectitude, to sacrifice the welfare and compromise the happiness of my fellow creatures, by attempting to sustain the character of a medical officer honoured by the confidence of the governors of so many charitable institutions, and on whose sobriety, sound judgment, and accurate decision, the lives of so many suffering and helpless human beings depend. I have known you intimately since September 1814, a period of nearly eight years; I was your patient in the officers ward, at the Royal Hospital, at Deal, where I received your regular visits every morning and evening during four months, without observing any other but the most sober deportment and conversation, and without hearing the most distant insinuation to the contrary, by my companions in sickness. I have lived on the most unceremonious habits of intimacy with you, at a short distance from each other, during the six years and a half I have resided in London; I have exchanged visits with you at all hours of the day and evening, and chiefly in the evening, because we were engaged in professional avocations during the day; I have dined with you at large public parties and small private ones; I have often accompanied you to learned societies, &c. in the evening; I have frequently been with you at evening parties; I have attended with you on many patients in private life and in charity practice; I have employed you in my own family night and day; I have recommended you as a consulting surgeon to many medical friends, who have called you in, and with all the awe and respect that is due to truth, justice, and the solemnity of an oath, I am ready to depose, that I never saw you, or heard of your being degraded so low, as to be dispossessed of your faculties by intoxication; nor have I ever seen you in a state that I would not have freely committed the health and lives of myself and family to your professional skill and judgment.

" It is not credible or possible that you can have practised such cunning deceit as would elude the penetration of all your intimate friends and acquaintances, and veiled this baneful and detestable vice from their view. It does seem to me, that this scandalous imputation must be founded on misapprehension or gross falsehood; that it must have been circulated by thoughtlessness or malice, and imposed on credulity where there has been ignorance of your real character. If this charge be not refuted, it must be a death-blow to your professional character, and the most ample means of refutation are in your power in the conjoined testimony of all who know you. They will bear witness that you are not only sober, but that you are skilful, experienced, humane, zealous, charitable and good.

" R. W. Bampffield."

" P. S. It might be mentioned, that the loss of your front teeth sometimes makes your articulation indistinct."

The following I will now read with a note which I wrote to Doctor Granville, requesting to see him at Mr. Courtenay's house, and he appointed a time, at which time Mr. Courtenay and I met him, and we explained the circumstances of the case, which I shall leave to that gentleman to detail; in consequence of that meeting he wrote to me a note the next day, which, together with a letter of Doctor Hutchison's and a note to him, I will read.

[They were read, as follows:]

N° 5. (A.)

“ Dear Sir,

Saville Row, Monday Eve.

“ Having fulfilled the office of mediator in a manner suitable to the views of yourself and Mr. Courtenay, and congenial to my own feelings on this question, I am prepared to communicate the result, if you will name a *very early hour* to-morrow morning, when I can meet you and Mr. Courtenay for that purpose.

“ I remain, dear Sir, with great truth,

“ E. Bootle Wilbraham, Esq. M. P.
&c. &c. &c.”

“ Your very obliged,

“ A. B. Granville.”

E. B. Wilbraham,
Esq.

(June 19.)

“ My dear Sir,

Portland Place, June 17.

“ I have just found your letter, on my arrival home from the House of Commons, at a late hour.

“ I fear that I cannot answer for Mr. Courtenay meeting you to-morrow, as he is occupied with law business as a master in chancery, till the hour at which he is to go to the Penitentiary, but I shall be very glad to report to the committee any thing which you may have to communicate, and I shall not go out till twelve o'clock, unless you wish me to call upon you instead of your coming here.

“ To Dr. Granville.”

“ E. Bootle Wilbraham.”

N° 5. (B.)

“ Dear Sir,

Leicester-square, 17th June 1822.

“ The communication conveyed to me last night by Dr. Granville, from the deputation of the committee, has not only relieved my mind from an infinite degree of anxiety, but has impressed me with sentiments of the highest gratitude to yourself and the other members of the committee concerned in the late most painful discussion, for your very friendly and most kind demeanour towards me.

“ By whatever misconception of your letters, my friends, and I happened to receive the impression that I had actually fallen in the estimation of the committee, still, while such an impression existed, it was natural that I should strenuously exert myself to recover their good opinion; and believing myself under the intolerable imputation of a habit foreign to my nature, it will, I hope, be a proof that I value their good opinion the more highly, that I could not bear the apparent loss of it on such grounds with tranquillity.

“ It being explained, however, by Dr. Granville, that the committee never entertained the idea that I had conceived to have influenced them, I can have no hesitation to receive the wish conveyed in your first letter, as gratefully as I have no doubt it was meant kindly, and I beg you will be pleased to convey to the committee my respectful assurance that no effort on my part shall ever be omitted, to impress on all concerned in the Penitentiary, a conviction that I am incapable, at any hour of the day or night, of failing in my duty, and it will require very little additional circumspection on my part, to convince them effectually, both by my manner and practice, that I have in reality no other motive than the strictest performance of my professional duties; I should indeed deeply lament that any circumstance could for a moment induce them to think otherwise.

“ I have the honour to be, dear Sir,

“ Your very obedient and obliged humble servant,

“ E. Bootle Wilbraham, Esq.
&c. &c. &c.”

“ A. Copland Hutchison.”

N° 6.

“ Dear Sir,

Portland-place, June 18, 1822.

“ I have seen Dr. Granville, who delivered to me your communication, which I laid before the committee, and I have great pleasure in assuring you, by their direction, that they have received it as you could have wished them to do.

“ Believe me, dear Sir, your faithful servant,

“ Dr. Hutchison.”

“ E. Bootle Wilbraham.”

What statement is that which you hold in your hand?—This is a Statement which I wrote by direction of the committee, illustrative of the former proceedings; it is dated June the 20th, 1822, it has been carefully kept sealed up from that period to the present.

[It was read, as follows:]

E. B. Wilbraham,
Esq.

(June 19.)

“ STATEMENT illustrating the accompanying Papers.

“ On the 19th May 1822, a girl, aged about 14, of the name of Mary Turner, died in the infirmary of the Penitentiary, of a consumption, for which Dr. Hutchison had recommended two months before that she should be sent into the country, which the rules of the prison prevented compliance with. On the first meeting of the committee after her death, Mr. Courtenay, the visitor, called our attention to the subject, and told us, that Mr. Pratt, the surgeon, had thought it his duty to inform him, that Dr. Hutchison, who had been with Mary Turner just before her death, had ordered her a warm bath, and had administered a blister and given her a medicine, which he conceives he would not have done just before her death had he been quite sober, but that he was evidently under the influence of wine. On inquiry, Mr. Courtenay found, from the matron (Mrs. Wilkinson) and the two nurses, Mrs. Cowsey and Mrs. Barnacle, that there prevailed an impression among the female prisoners in general, that Dr. Hutchison frequently came in the evening under the influence of wine, and that this impression was spreading in the prison. It was determined by the committee, that I, who was in the chair at that meeting, should write a letter to Dr. Hutchison, to inform him of this suspicion among the lower officers and prisoners, as delicately as I could do so, and I accordingly sent the letter, No. 1, which I had previously submitted to the committee. On the following morning I received his answer, No. 2, but as there would not be another meeting of the committee for some days, I showed it to Messrs. Holford, Courtenay, Calthorpe, and Gilbert, at the House of Commons, and by their advice wrote the letter, No. 3, to which I received an answer, No. 4. This answer I laid before the committee, and we examined the matron and the nurses, who proved that Dr. Hutchison came to the Penitentiary on the evening of Mary Turner's death, at half past seven; that he was told that she was dying, and that he examined, by the touch, her sides and stomach (as all thought rather roughly) and ordered a blister, and that she should be put in a warm bath. This excited general surprize, and Mrs. Cowsey said, that the patient was dying, and would die in their hands in the bath, to which he answered, that he had seen persons recover who were worse than she was. Mr. Bennett, the chaplain, desired that prayers might be read over her before she was bathed, which was accordingly done, and a blister was then applied, and a medicine administered by Dr. Hutchison himself. It being found that the steam was off the boiler, he ordered all the kettles which could be got to be put on, and he then went into the male prison, but had been there only a few minutes, when word was brought that she was dead; this was at five minutes before eight; we were informed of the names of the four female prisoners who were present, and of their looking at each other in astonishment at the order being given. We have learnt also, that the nurses had frequently found Dr. Hutchison irritable and hasty when he came in the evening, which they never perceived in the morning. In order to prevent him the disgrace and inconvenience of a public charge, such as he demanded, Mr. Courtenay and I were desired to speak to Dr. Granville, as his friend, and to represent the case to him, and we accordingly met him at Mr. Courtenay's house, on Sunday, June 16, and explained to him all the circumstances of the case, many of which Dr. Hutchison had suppressed or forgotten, both in his letter to me and in his statement to his friends. Dr. Granville undertook to see Sir Gilbert Blane that evening, and to endeavour, in concert with him, to endeavour to get Dr. Hutchison to write a proper letter of regret, previous to the meeting of the committee, on Tuesday, the 18th, for the special purpose of considering the subject. On the 17th, on my return from the House of Commons, I found Dr. Granville's letter, No. 5. A. and on the following morning he called upon me, and told me, that he had, with some difficulty, persuaded Dr. Hutchison that he had acted injudiciously towards himself and the committee, and that he should write such a letter as would induce Mr. Courtenay and me to persuade the committee to bury the matter in oblivion. We allowed him to say, from us, that we by no means imputed habits of intemperance to him. Dr. Granville gave me a letter, which he and Sir Gilbert Blane persuaded him to write (No. 5. B.), and which I submitted to the committee, and I was directed to write No. 6, in answer, which terminates the business; we requested the matron and nurses to discourage observations among the prisoners, unless any new occasion should give rise to them. I was desired to draw up this statement, and to leave it, with the letters, under the care of the secretary of the Penitentiary, sealed up, in case unfortunately Dr. Hutchison should ever again come under the observation of the committee.

“ Portland-place, June 20, 1822.”

“ *Edw^d Bootle Wilbraham.*”

To Sir Gilbert Blane.—Will you have the goodness to look at that document, which is printed, [*handing a printed paper to the witness*] and inform the Committee whether that is a correct copy of a paper to which you have affixed your name?—*It is a true copy of my certificate.*

*Sir G. Blane,
Bart.*

(June 19.)

Did you read over the whole of a paper which I now hold in my hand, beginning with the words, "Doctor Granville having with other friends of Mr. A. Copland Hutchison," &c. prior to having signed your name to it?—I cannot recollect.

Did you see Doctor Granville sign this paper, now before the Committee?—Yes, I did; he signed it when I was looking on.

Did you see him sign it?—I was in the room at the moment; we were together.

Do you believe that document printed, to be a correct copy of the one you saw at the time you signed your name, and at the time Doctor Granville was in the room with you?—[*The witness minutely examined a printed paper which was handed to him.*]—This is a copy of what I read in manuscript.

[*It was read, as follows:*]

"Doctor Granville having, with other friends of Mr. A. Copland Hutchison, borne testimony in his favour to the committee of the Penitentiary, they did depute Mr. Courtenay and Mr. Bootle Wilbraham, two of their members, to confer with Dr. Granville on the subject of the correspondence then passing between Mr. Hutchison and themselves; and they did fix upon Sunday afternoon, the 16th of June for that purpose. Dr. Granville, as Mr. Hutchison's friend, and perfectly uninformed on the nature of the communication which these gentlemen intended to hold with him, came to consult with Mr. Hutchison as to the line of conduct he was to pursue in that interview, as far as it concerned Mr. Hutchison. This measure of the committee, after the correspondence which had taken place, appearing of a conciliatory nature, and Dr. Granville being known to entertain a high opinion of Mr. Bootle Wilbraham's judgment, Mr. Hutchison was fearful that some concession on his part might be proposed, which would be inconsistent with his strong sense of injury, and his determined appeal for a public investigation of the charges against him, then alluded to by the committee; Mr. Hutchison, therefore, expressed his regret, that the committee had not selected two instead of one of his friends to confer with; he, therefore, most distinctly charged Dr. Granville to acquaint the two members, that nothing short of their giving up to him the names of those who had been examined, and had made the charge against him, would induce him to forego the public investigation which he had claimed, and still wished to urge. After Dr. Granville's audience with these two gentlemen and with their approbation, he sought Sir Gilbert Blane, another warm friend of Mr. Hutchison. To him he inclosed the communications made by the two members of the committee, and they (Dr. Granville and Sir Gilbert Blane) together visited Mr. Hutchison on the same evening; Dr. Granville then informed Mr. Hutchison, that he was instructed by Mr. Bootle Wilbraham and Mr. Courtenay, to assure Mr. Hutchison that the committee never believed the charge of ebriety made against him, to have any foundation, that they hoped for the good of the institution, he would not press the public inquiry into the said reports against him, that they would satisfy Mr. Hutchison as to the individuals from whom those reports emanated, and who were all present on the particular night specified in the charge, and that they would depend on him for not taking any public notice of their communication, or not so resenting it as to interfere with the duties of the officers in the prison; that they then named to Dr. Granville, the chaplain, the surgeon, the matron, and a nurse of the name of Cowsey. Dr. Granville and Sir Gilbert Blane then urged in the most strenuous manner, upon Mr. Hutchison, the propriety of acceding to this proposal made by the committee; that it was a concession from a body of men that ought to satisfy the most scrupulous feelings of injured reputation, even had the charge been made public, but particularly as the whole transaction had been so delicately conducted by the committee.

"I certify, that such part of this Statement as alludes to my name, is true.

"Gilbert Blane."

"The above Statement, as far as it relates to the part I was called upon to take in the affair, is true, to the best of my recollection.

"31st May 1823."

"A. B. Granville."

Sir G. Blane,
Bart.

(June 19.)

Who drew up the paper which has just been read?—I do not know; I can only say I had no hand in it.

But, as far as you are concerned, you can affirm that it is true?—I think it is very likely that I had a share in it; there is very little that relates to me; I can only say, that every thing that is stated here was conformable to my knowledge.

Did you read that paper yourself, or was it read over to you?—I read it myself, and most attentively.

Before you signed it?—Before I signed it.

E. B. Wilbraham,
Esq.

Mr. E. B. Wilbraham.—In consequence of seeing one day, at the Committee of the House of Commons, a printed work of Dr. Hutchison's, with a Statement of Dr. Granville's affixed to it, I sent to Dr. Granville to say that I wished to speak to him; and upon his coming to me, I represented to him my conviction, fortified by what Mr. Courtenay's memory had supplied me with, that his Statement was extremely inaccurate, and, in one instance, diametrically opposite to the fact we stated to him. I begged of him to take it home, to consider whether or no, upon recollection, he could not produce a Statement more accurate; in consequence of which I received a note from him of the 12th of June 1823, which, with a Statement, are as follows:

" My dear Sir,

Grafton-street, 12th June.

" Since seeing you, I thought that, instead of entering into any polemical or critical disquisition of the Statement bearing my signature, and represented to be imperfect with regard to certain facts and expressions, it would be a preferable course to follow, if I drew up a detailed narrative of the interview I alluded to in that *Statement*, with an account of the circumstances that preceded and followed that interview, (the whole from the best of my recollection,) and to leave the facts to speak for themselves.

" You are welcome to show the narrative to the members of the committee, as you propose; and beg to apprise you, that I have given a copy of it to Mr. Hutchison,—Believe me, dear Sir,

" Very truly obliged

" E. B. Wilbraham, Esq. M. P."

" A. B. Granville."

" IT having been represented to Dr. Granville by Mr. Wilbraham, that the Statement contained in Mr. Hutchison's "*Correspondence*," bearing Dr. Granville's signature, does not give a full and complete account of the interview which took place in June 1822, with the two members of the committee of the Penitentiary, on the points therein stated, and that it is moreover liable to misinterpretation, the following narrative is drawn up for the purpose of throwing every possible light on that transaction.

" It is impossible, at this distance of time, and without any memorandum, for Doctor Granville to state positively the language or expressions used on the occasion alluded to; but to the substance, nature, and result of what then passed, he can pledge himself without hesitation,"

" NARRATIVE:

" In consequence of a letter received by Mr. Hutchison from Mr. Wilbraham, early in June 1822, intimating that *a suspicion was entertained by different individuals (in the Penitentiary) and was even spreading among the prisoners in the several wards, that the directions given by Mr. Hutchison, in cases which came under his consideration after dinner, were marked with haste and precipitation, not observable in an earlier part of the day*, Mr. Hutchison called on Doctor Granville, as one of his oldest friends in London, to ask whether, in the course of their long acquaintance, he had ever observed in his (*Mr. Hutchison's*) conduct, any thing that could in the least warrant the suspicion of his being addicted to the vice of ebriety, with which it was evident that he was charged in the above intimation. In answer to this, Doctor Granville, without the least hesitation, wrote a declaration, dated the 14th of June (printed by Mr. Hutchison) in which, amongst other things he stated, that from his own personal knowledge of Mr. Hutchison, he considered the report affecting that gentleman's character, as a man of temperate habits, to imply a charge which was false, groundless and malicious; Doctor Granville considered the charge to be *a general one*, and as such, he felt it to be his duty to characterize it in the manner

manner just stated, such a general charge being inconsistent with what Doctor Granville had himself observed of Mr. Hutchison's habits of life. Doctor Granville's declaration could not of course refer to any one particular occasion, that might be guessed or referred to in Mr. Wilbraham's first letter, unless Doctor Granville had happened to have been in Mr. Hutchison's company on such a particular occasion, or immediately after.

On the 15th June Doctor Granville had the honour of receiving the following note from Mr. B. Wilbraham.

E. B. Wilbraham,
Esq.

(June 19.)

" Dear Sir.

Portland-place, June 15, 1823.

" I wish to speak to you on a subject connected with Dr. Hutchison; and I shall be glad if you will let me know whether you will be at home to-morrow at half past four, or at any other time.

" I am desirous that Mr. Courtenay shall be with us, to correct any statement which I may make to you on the subject; and if his house in Duke-street, Westminster, will suit you better, it will be quite as well for me.

" Believe me, &c.

" Dr. Granville."

" E. Bootle Wilbraham."

" Dr. Granville having acceded to the latter part of the invitation, proceeded first to Mr. Hutchison to apprise him of it, and to receive his instructions; these were to repel the charge of *habitual or frequent ebriety*, implied in Mr. Wilbraham's first letter; to deny it with regard to the particular instance specified in this same letter, of which Dr. Granville then heard some of the circumstances for the first time from Mr. H. and to insist for a public inquiry into the grounds and respecting the authors of what Mr. Hutchison considered a most foul and malicious accusation.

" On meeting Messrs. Wilbraham and Courtenay, at the house of the latter, on Sunday the 16th, Dr. Granville found that, with regard to the charge of frequent or habitual ebriety, nothing was required to be said on behalf of his friend; both members agreeing, that the committee did not believe it, and both desiring Dr. Granville to give Dr. Hutchison their assurances to that effect.

" With respect to the second point, some circumstances connected with the treatment of Mary Turner, 'a patient in the infirmary of the Penitentiary under the care of Dr. Hutchison, brought forward as the ground of Mr. Wilbraham's first communication, the necessity of which was, in a subsequent letter from the same gentleman, said to be *more strongly proved by subsequent circumstances*.' Dr. Granville felt that he had only one course to follow, that of denying generally, in Dr. Hutchison's name, that on the occasion alluded to he had been guilty of any impropriety of conduct; of claiming the disclosure of the names of the individuals on whose statement the imputation of ebriety rested, as well as of the 'subsequent circumstances' mentioned in Mr. Wilbraham's letter, and of simply reporting to his friend whatever was stated on those subjects by the two members of the committee; Dr. Granville having no means of making any observation of his own on any circumstances or name that might be disclosed to him, from his total unacquaintance with the particular point under discussion.

" The circumstances attending the death of Mary Turner, which Mr. Hutchison himself had stated in his letter to Mr. Wilbraham of the 7th of June, appearing to Dr. Granville not to indicate the smallest impropriety of conduct in Mr. Hutchison, and the latter gentleman having insisted on knowing to what other circumstances Mr. Wilbraham meant to allude in his two letters, Dr. Granville requested distinct and explicit information on that point; he was then told by the two members, that Mr. Hutchison, on being called in the evening to Mary Turner, who was in the last stage of consumption, declared her to be *in articulo mortis*; that notwithstanding he ordered a draught, containing camphor, æther, and other ingredients, a blister to be applied immediately to the chest, and a warm bath to be got ready for her without loss of time; that the latter direction, in particular, astonished all present, especially one of the nurses, who observed, that the patient would die in the bath; that the chaplain desired to read prayers to the patient first, to which Mr. Hutchison consented, and at which he was present: that on it being observed to Mr. Hutchison that the steam of the boiler had been turned off, and the bath could not be got ready, he desired that all the kettles in the Penitentiary should be set on the fire for the purpose of heating the water for the bath; that the draught and the blister being brought, the former was given to the patient, and the latter being found too large, was cut in two, and the one-half applied on the chest of the patient; lastly, that on Mr. Hutchison going into the male prison

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till the water should be ready, he was soon after informed that the patient had expired. The two members then proceeded to state, that the above information rested on the uniform declaration of all the persons present on the occasion, namely, the chaplain, the surgeon, the matron, Mrs. Cowsey and others, whom they had purposely examined.

“ Doctor Granville being thus made acquainted with circumstances, to which he had before been a stranger, without in the least conceding that any one, or the whole of them, authorized the interpretation of their having taken place under the influence of wine, contented himself with observing, that he would report them to Mr. Hutchison. The two members then asked Doctor Granville what, under the above circumstances, he would think of a medical man giving such directions on so awful an occasion? To which question Doctor Granville replied, that, with reference to the particular case of his friend he could say nothing, as every one of the circumstantial facts then mentioned to Doctor Granville for the first time, might be denied by Mr. Hutchison when reported to him; but that with regard to the question put generally, of a medical man acting thus at such a crisis, particularly in ordering a bath, the least he could say, was, that it was bad practice.

“ It is necessary to state, that Mr. Hutchison has at all times since the interview, denied in the most solemn manner, the truth of the allegation respecting the bath, (which he declares to have ordered for another patient.) With regard to a public inquiry, which Doctor Granville stated he was instructed by Mr. Hutchison to demand, the two members repeated the same suggestions and observations made by one of them to Mr. Hutchison in his letters of the 7th and 13th of June, which he declared originated entirely in the personal respect of the committee for Mr. Hutchison; that, from a formal inquiry in a matter which it was obvious could never be brought to issue, no good could arise either to Mr. Hutchison or to the institution; that although the ground afforded room for suspicion, the committee (as Mr. B. Wilbraham had before said in one of his letters) were extremely unwilling to suppose that suspicion unfounded; and that such being the case, they wished him not to press his demand farther, but so to conduct himself as not to appear to resent the communication in his intercourse with the officers of the Penitentiary, so as to interfere with their duties in the prison.

“ After these various declarations from the two members of the committee, and considering that no admission was made on the part of Mr. Hutchison by his friend during the interview, which could in the least affect his honour, Doctor Granville determined on advising Mr. Hutchison to accede to the proposition of the committee, and with their permission he sought the assistance of Sir Gilbert Blane, another warm and old friend of Mr. Hutchison, who, with Doctor Granville, prevailed on Mr. Hutchison to put an end to the discussion altogether by the letter, dated, Leicester-square, June the 17th, the contents of which appear subsequently to have been approved by the committee.

“ The statement in Mr. Hutchison's private papers, bearing Sir Gilbert Blane's and Doctor Granville's signatures, was meant to convey no other conclusion than what Doctor Granville deemed, in his conception, could be obviously drawn from the series of facts which he has now detailed at full length in the above narrative.”

“ Grafton-street, Berkeley-square, 11th June 1823.”

Not understanding the passage in which the word “ unfounded ” occurs, and also stating, there was an omission of one expression made use of, namely, that if Dr. Hutchison did wish for inquiry he should have it, but we did not mean to suffer our female attendants to be brow-beaten for doing that which we considered to be their duty, I wrote to Dr. Granville, in consequence of which a postscript is added to the foregoing, which, with the letter from him, I will now read:

“ My dear Sir,

Grafton-street, 12 June 1823, 9 o'clock.

“ On looking at that part of my narrative, to which you have called my attention by your letter of this morning, I find that I made a mistake in using the word “ unfounded,” which makes nonsense of the context of the period, and ought to have been ‘ well founded,’ an expression I thought (from recollection) the more likely to have been used by you, as I find it used in your letter to Mr. Hutchison, dated a few days before the interview. By such an expression, of course, I understood you not to imply that the committee absolutely disbelieved the suspicion, but that they would rather, for the good of the institution, and Mr. Hutchison himself, not believe it; particularly as they expressed a wish that Mr. H. would, by his future conduct, ‘ dispel the impression’

impression' then existing against him; a wish which Mr. Hutchison promised to attend to in his final reply to you, dated the 17th of June. My narrative, therefore, does not appear to me to convey the meaning which you seem to apprehend it may be thought to bear in the passage in question, namely, that the members of the committee disbelieved the rumours, especially after they had been corroborated by the joint testimony of several persons examined respecting them. Neither was it my intention, that the passage in question in my narrative should imply that you wished he (Mr. Hutchison) might not prove himself innocent. With this further explanation, and after substituting the words 'well founded' for 'unfounded,' I trust you will see no necessity for any interlineation or alteration in the narrative, which I should have to make equally in the copy I have already delivered to Mr. Hutchison, agreeably to the notice I gave you this morning. As to your declaration respecting the inquiry not being mentioned by me, it is really an omission in my narrative, for which I cannot account, as I perfectly recollect your making it. I have therefore added it to the paper which I return, and I will take care to send copies of the same addition to Mr. Hutchison, as soon as I shall have heard from you that my explanation respecting the other point is satisfactory.

"Believe me, my dear Sir, very truly your's,
"A. B. Granville."

This is the postscript to which I alluded, and which is added to the preceding document:

"Dr. Granville has unintentionally, and from an oversight, omitted to say, that in one part of the conversation with Mr. Wilbraham, that gentleman declared, that if Dr. Hutchison still persisted in demanding an inquiry, he should have it, but that he for one would not suffer the females of the Penitentiary, whose names he had mentioned, to be brow-beaten by Dr. Hutchison, for doing what Mr. Wilbraham conceived to be their duty."

William Courtenay, Esq. a Member of the Committee; Examined.

YOU were visitor in June last, at the Milbank Penitentiary?—I was.

Were any complaints made to you connected with the circumstance of the death of Mary Turner?—Sometime in the month of June, (I do not recollect the exact day) Mr. Pratt, the surgeon, requested permission to speak with me in private upon a matter, which he represented to be of great importance to the institution, and creating considerable difficulty and embarrassment to himself; on the first occasion that I could give time for it, I saw Mr. Pratt, the surgeon, in his own house, when he stated, that he wished to mention to me some circumstances that had occurred in the infirmary, upon the occasion of the death of Mary Turner, and he added, that what had occurred had placed him, as he conceived, in a very awkward and responsible situation; he then stated to me, that upon Dr. Hutchison visiting Mary Turner, they found her in the evening of a particular day in a dying state, and he then reported to me what had been ordered for her, particularly and distinctly stating, that Dr. Hutchison ordered a bath for her after having remarked to him, Mr. Pratt, that she was *in articulo mortis*, and that at the same time he had ordered a cordial draught to be prepared and given immediately; he added, undoubtedly, to me his impression, that Dr. Hutchison at that time was under the influence of wine; I put it to him, whether it had, as far as his observation had gone, been observed at other times; he stated to me, that Dr. Hutchison had frequently appeared to him to be hasty and impatient upon the occasion of his evening visits; he could not undertake to say whether that arose from the effect of wine or not, but he stated to me distinctly, as the result of his opinion on that particular occasion, Dr. Hutchison was under the influence of having taken too much wine; I of course asked him who were present at the time, he stated to me that the chaplain, the matron and a nurse of the name of Cowsey, were present; and he mentioned also some female prisoners, patients, who were in the room, whose names I do not now remember; he added, that the conduct of Dr. Hutchison upon this occasion, evidently excited the astonishment of the other persons present; and that the matron and the nurse, or one of them, observed, that the patient would die before she could be put into the bath; upon receiving this communication, I thought it my duty to examine the matron and this nurse, which I did, not in the presence of Mr. Pratt; the matron confirmed the statement as to all the facts stated by Mr. Pratt; I felt considerable delicacy in putting to her a direct question, so affecting the character of Dr. Hutchison, as to ask her whether he was, in her judgment, at

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that time under the influence of wine, but I did feel it absolutely necessary to endeavour to ascertain her opinion, and she undoubtedly was under the impression, and confirmed to me the impression, that such was the fact; I then saw the nurse, and found in that nurse an evident reluctance to state any thing prejudicial to Doctor Hutchison.

That is nurse Cowsey, to whom you allude?—Yes, nurse Cowsey; and I did not feel it consistent with my duty to enter into what might be called a cross-examination upon such a subject, but I am prepared to state distinctly, that she did in her representation of that transaction, also confirm the same impression.

Although she was under some impression of fear?—I did not say fear, but a reluctance to state any thing prejudicial to Dr. Hutchison. I mean distinctly to say, that I collected from what she stated to me, that Dr. Hutchison was upon that occasion under the influence of wine. After having received those communications, I felt it my duty to make a report upon the subject to the committee, which I did, after having desired the secretary to quit the room; and such proceedings were subsequently taken as have been detailed to this Committee. The conviction that those representations produced upon my mind was, that there had been in Dr. Hutchison's conduct on that evening, a haste and precipitation, arising either from a state of irritation, or from the cause imputed, namely, of having taken too much wine; but it never occurred to me to impute to Dr. Hutchison habitual inebriety. If I had been of opinion, that the charge of habitual inebriety could have been well founded, undoubtedly I should not have thought it consistent with my duty to have permitted Dr. Hutchison to have continued the medical superintendent to the establishment. Much reference having been made to the chaplain, with relation to this transaction, I wish to state distinctly, that no communication whatever was made to me upon the subject by Mr. Bennett, except in answer to questions which I felt it my duty to put to him, after the previous information had been given to me; and, that when I had put such questions to him as I thought it necessary to put, he evinced what was in my opinion too great an anxiety not to say any thing which might affect the character of Dr. Hutchison. I say, what appeared to me to be too great anxiety not to say any thing of that nature; because I felt then and feel now that it was the chaplain's duty, without consideration of the consequences to any one's character, to have stated most unequivocally and plainly to the committee, every thing which he observed on such an occasion.

Did you see a letter before it was sent, dated June the 7th, and signed by Edward Bootle Wilbraham?—Yes, I did; I believe I was present at the committee.

Was that letter to be taken as a private letter, written by Edward Bootle Wilbraham, or written by him as chairman of the committee, with the consent and approbation of the persons present?—As well as I recollect, it was neither to be taken as a private letter of Mr. Wilbraham's, nor as chairman of the general committee; if I recollect right, it was rather to be taken as a letter written with the concurrence of myself and one or two other gentlemen, who took a more immediate part in it, than as a letter submitted to the whole of the committee.

Did you consider yourself the letter as written from the committee, technically styling itself so, composed of a number of persons to whom you have referred?—It refers to the committee, and therefore I conceive it must be taken as a committee letter.

When the authority of the committee is introduced, is it not signed by the secretary?—It is generally, but in this case the secretary was sent out of the room.

You have stated, that neither you nor the members of the committee meant to charge Dr. Hutchison with habitual intoxication, how do you reconcile that opinion with this paragraph in the letter, "The result has been, that we have discovered with much regret and concern, that a suspicion is entertained by different individuals, and is even spreading amongst the prisoners in several wards, that the directions which you give in cases which come under your consideration after dinner, are marked with a haste and precipitation which are not observable in an earlier part of the day?"—The two cases appear to me to be perfectly reconcilable; the letter meant to state what appeared to be the impression entertained by the persons there referred to; my answer referred to the impression entertained by myself and the members of the committee.

Did you mean then to direct Dr. Hutchison's attention to the simple case of Mary Turner, or his attention to that loose and general charge which was made against him, and which you state to be believed by the prisoners?—We meant to convey to Dr. Hutchison that such an impression did prevail, and having satisfied myself

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myself that such an impression did prevail, I should have thought it very unfair to Dr. Hutchison not to make him acquainted with that fact.

Did you mean then to direct his attention specifically to the charge of Mary Turner, to which you expected an explanation, and to suggest to him that explanation was more requisite in consequence of a general suspicion being entertained that what occurred in the case of Mary Turner, was not to be taken as a solitary instance?—Exactly so.

Did you give in to the committee a statement in writing?—I think not.

Was there any minute made of it at the time it was given in; your statement?—I think not.

Were there any witnesses examined then by the committee?—I really do not remember; I think there were. I think the matron was called in, but I am not certain.

Was the chaplain called in?—I think he was not; our object very much was, not to mix him up with it.

Was Mr. Pratt called in?—I think he was; but I really am not certain.

Did you ever furnish to Dr. Hutchison a specific detail of the precise nature of the charge made against him and the persons who supported each allegation?—In the interview which has been referred to as having taken place with Dr. Granville, I stated to him (Dr. Granville) all the circumstances which have been stated to me, and which have been subsequently detailed to this Committee.

Did you give Dr. Granville a copy of that statement in writing, or was it told him in the nature of a conversation?—It was told him verbally.

Did you ever tell Dr. Granville the names of the witnesses who were present at the transaction alluded to?—I stated to Dr. Granville the names, as far as I knew them, of all the persons who were present; the names of some of the prisoners I was not acquainted with; and I then detailed to him in what manner the information came to me, upon which I felt it my duty to report.

Did you specifically tell Dr. Granville what part and portion of the allegation each witness proved?—I can hardly answer that question distinctly; I have a perfect recollection and certainty that I detailed to Dr. Granville the whole circumstances that had been detailed to me, and which I have now detailed; and I mentioned to him the surgeon, the matron, and nurse by name.

Did you name the chaplain?—I certainly recollect having named the chaplain; but it was principally for the purpose of impressing upon Dr. Granville's mind the fact, that we had not received the information from the chaplain.

Did you explain to Dr. Granville what was the nature of the testimony which the chaplain had given?—I think I did; and I believe I have not before stated here what was the nature of that testimony. When I felt it my duty to ask some questions of the chaplain, he stated clearly to me that he had observed a great haste, and a sort of irritability of manner about Dr. Hutchison on that evening. As far as I collected from the chaplain, it was not his impression that it arose from the effect of wine; on the contrary, he gave me his opinion that it was more constitutional.

Did he state to you that any particular domestic circumstance had recently arisen to Dr. Hutchison, that might reasonably account for some irritation of mind?—I think he did; I know he did at some time, and I think he did then.

Did he state to you any thing that passed between Dr. Hutchison and himself that evening, or any other evening, which evidently showed such perturbation of mind?—I do not recollect; his distinct impression was that wine was not the cause.

Do you think that you told enough of the chaplain's testimony to Doctor Granville, to have warranted him in stating to Doctor Hutchison, that the chaplain had not brought against him the charge of inebriety?—I certainly do; for both Mr. Wilbraham and myself felt it of extreme importance, that a good understanding should subsist between the chaplain and the medical superintendent; and I was certainly very anxious to leave an impression upon Doctor Hutchison's mind, through the medium of Doctor Granville, not unfavourable to the chaplain; and I own myself to be a good deal surprized at the representation which appears to have been made by Doctor Granville, of what had passed with respect to the chaplain.

Did Mr. Bootle Wilbraham ever show you a letter of Doctor Hutchison to him, dated June 17th, 1822?—He did.

On reading that letter, does it not appear to you that Doctor Hutchison wrote that letter under an impression, that he was completely exonerated from the charge

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in the estimation of the committee who had made it?—It certainly does; and it did so appear to me upon the first reading of the letter; but I was so anxious that the whole matter should be brought to a close, and that the mind of Doctor Hutchison, who was to continue our medical superintendent, should not be kept in a state of irritation, that, although I thought that letter assumed a little more than perhaps all the circumstances would have warranted, I considered it more judicious not to have any reply made to that letter, and to permit the matter to drop without any further inquiry.

Have you before you a letter of Mr. Bootle Wilbraham's, dated June the 18th, 1822, to Doctor Hutchison?—I have.

Does not that letter too convey to your mind the impression, that the committee under whose direction it appears to have been written, assented to the letter which they received from Doctor Hutchison?—It does.

On what day did that first conversation take place?—I do not recollect the day.

Do you recollect the day on which Mary Turner died?—I believe it was on the 19th of May.

Do you recollect how long it was after the 19th day of May?—It must have been quite at the beginning of June, or the latter end of May.

About how long after her death did this conversation take place with Mr. Pratt, or was the first communication made to you on the conduct of Doctor Hutchison?—I cannot speak with accuracy to the day; it must have been about ten days after the transaction; but I must add, Mr. Pratt desired to have some conversation with me a day or two before it suited my convenience to see him, I had no intimation what it was about.

During the time that Doctor Hutchison has been medical superintendent of the Penitentiary, had you frequent opportunities of seeing his conduct and general demeanour?—Certainly.

Did you frequently see him in the course of the evening?—No, I cannot say frequently, but occasionally.

Did you ever observe any thing particular in his conduct in the course of the evening?—Certainly not.

Then you need not be asked whether you observed any thing approaching to inebriety?—No.

What was the general manners of Doctor Hutchison; were they those of a person generally cool and composed, or otherwise?—I do not recollect at this moment that I ever happened to witness Dr. Hutchison's attendance upon the patients, I have always considered his manners and conduct to be that of a man of talent and intelligence; I am at the same time bound to say, that I have formed an opinion that he wanted coolness of temper, and was liable to be irritated and take up wrong impressions, which a man of cooler conduct would not have done; in order that upon such a subject I may not unintentionally state any thing incorrectly, I wish to add, that what appeared to me to be the defect in Doctor Hutchison's temper, always appeared to lead to conduct that operated more prejudicially to himself than to any other person.

Did you not consider him a person of a very kind and humane disposition?—I certainly have not the slightest reason to think otherwise, except that there certainly was a prevailing impression among the females that his manner towards them was rough, and there was also an impression among many of the inferior officers of the Penitentiary of the same nature; it should be remembered, in an establishment of this sort, a great difficulty is imposed upon the medical men, to guard against imposition, and that disposition which frequently exists among prisoners to get up into the infirmary without having real illness; it certainly has been felt in the prison that Dr. Hutchison sometimes carried his anxiety to guard against this disposition of the prisoners too far, and that he sometimes treated rather sharply prisoners who afterwards turned out to have some well founded complaint; but, as far as my own personal observation has gone, I have not any reason to doubt, that in substance he was kind and humane in his treatment to the prisoners.

Until Mr. Pratt stated to you the facts you have mentioned to the Committee, was there any formal complaint made in the Penitentiary against Dr. Hutchison, on account of intoxication, or otherwise?—There was not.

You have frequently conversed with Dr. Hutchison, have you not?—Frequently.

In conversation is his manner agitated, or otherwise?—I think that I have observed that it is sometimes.

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His lips quiver?—Yes; he would give you a notion of a man in a passion sometimes, when he is not. I conversed frequently with Dr. Hutchison, with reference particularly to the effect of the dietary, and I always received from him the impression, that nothing but the experience of many months could justify any one in coming to a decided opinion on that. I thought Dr. Hutchison's observations upon that subject exceedingly sensible, from time to time, when I took an opportunity of talking with him.

The Committee has understood, that Mr. Pratt was the first person who gave the information upon which this complaint has been founded, as against Dr. Hutchison?—He was.

Is he a man of such eminence in his profession as to entitle him to look forward to be medical superintendent of the Penitentiary at any time?—Unquestionably not.

In such a prison as the Penitentiary, where so many male and female patients have been brought into the infirmary, is quickness of decision, in the medical superintendent, upon any cases that might come before him, a very necessary ingredient in the mind of a practitioner of that description?—I should think it is, if combined with sufficient deliberation.

You have stated that Dr. Hutchison is of a quick, and rather violent temper?—I have.

Did he ever make a complaint to you of any officer as visitor in the establishment?—I do not think he ever did make a complaint to me as visitor; I recollect his having made one or two complaints to the committee, relative to circumstances connected with the infirmary, which, upon investigation, we did not think to be very well founded, particularly with regard to the supply of linen and other articles for the sick.

Would you say he was a harsh and cruel person to those over whom he had controul?—I have no sort of right, or any ground to say so; I certainly have understood, from both the matron and the nurses, that his manner at times to them was hasty, and I particularly regretted this with respect to the matron, because I have a very good opinion of her, and conceive her a very useful and efficient officer, and I lamented to see, from some cause or other, that Dr. Hutchison and she did not go on comfortably.

Is it not necessary often for a medical man in Doctor Hutchison's situation, to keep necessary subordination in the department, that he should be very often quick with people?—Knowing what I do of the matron, and the manner in which her duties are performed, I should not think it necessary for any man to adopt such a line of conduct towards her.

How long ago is it since the observation was made, that Doctor Hutchison's conduct was rather hasty to the matron?—Principally subsequent to this transaction.

The Committee do not understand you to say, that that was your impression, but her's?—I have not seen them together.

And it was subsequent to this transaction?—Yes.

Did you ever perceive previous to that time, any dislike to Doctor Hutchison, on the part of any officers of the prison?—I never perceived it; and with reference to the idea of plot and conspiracy, which has been alluded to, I conceive such a suspicion to be altogether groundless, and not to have the slightest foundation in fact.

Do you not think it rather natural, and hardly to be attributed to any infirmity of temper, that a person who had been informed that a woman in the situation of the matron in the infirmary, had preferred against him an accusation of inebriety, that there should exist in the mind of that person some disposition hostile to the individual so accusing him?—It appears to me not at all unnatural.

Do you conclude, that the subject was mentioned by you at one meeting of the committee; and that the letter received the sanction of a second committee, and was not sent till after that?—I do.

Do you remember in the conversation with Doctor Granville, it was stated by yourself or Mr. Wilbraham, that the chaplain had been asked about it, and that he said that the manner of Doctor Hutchison on that day mentioned, was certainly very odd?—I do.

Do you recollect in the course of the conversation, that Doctor Granville took up that high tone which appears in this statement, namely, that nothing would induce Doctor Hutchison to forego a public investigation, but the giving up of the names of those who had accused him?—I do not remember it.

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Do you not remember, that before Doctor Granville had stated any thing to that effect, a full disclosure was made of names and every thing?—I recollect perfectly, that the course which we took was in the first instance, to put Doctor Granville in possession of all that we ourselves knew; and I must add, that Doctor Granville stated to us, that the whole of the information which we conveyed to him, had not and could not have been given to him by Doctor Hutchison; that the story we gave to him was new.

Do you not recollect, in the course of their conversation, Dr. Granville made use of a stronger expression than “bad practice,” when the circumstance of the blister and draught administered to a dying patient, together with a bath, was mentioned, that it would make a material difference?—He did use those words; and it may be proper to add, that he did not, upon any of the interviews at which I was present, suggest that the bath was ordered for any other patient.

Do you think that the wish of the committee, in urging Dr. Hutchison not to press for a public inquiry, arose from any other motive than from a sentiment of respect and feeling towards Dr. Hutchison, which was due to his own character?—I certainly think it arose from no other motive.

When it was urged that, for the good of the institution, he should not press the inquiry, was it not stated, that it would be compromised if he was called upon to act daily with persons, who had given information unfavourable to him?—It was.

In point of fact, a regard to the welfare and character of Dr. Hutchison were the sole motives that influenced them in their line of conduct?—Consideration for the character of Dr. Hutchison, and consideration of the welfare of the institution, and having made up our minds that, under all the circumstances, it was desirable to continue Dr. Hutchison as medical superintendent, we were anxious that the matter should be buried as much in oblivion as possible; although I am bound to say, that it must not be from thence inferred, that we conceived the charge to have originated in malice or conspiracy, or that we believed the charge, so far as related to that particular night, to be altogether without foundation. My own individual impression was, which it is fair to all parties to state, that, on that particular night, Dr. Hutchison accidentally was in some slight degree under the influence imputed to him. I was satisfied that no evil in the event had resulted from that accident; and I felt it most consistent with my duty to the institution, and my duty to Dr. Hutchison, to leave the matter to terminate as it did.

Was it not, in the course of the discussion upon that subject, urged at the time when the committee were thinking of not taking any steps at all upon the subject, that their duty to the public, and to the unfortunate prisoners committed to their care, and who, in the event of illness, have no possibility of acquiring other medical assistance than such as was ordered them, rendered it necessary that a hint should be given to Dr. Hutchison of the extent of such a suspicion among the female prisoners?—It was.

But, if Doctor Hutchison insisted upon the investigation, even considering and giving the very best motives to the committee's delicacy, how would the welfare of the institution have suffered in the public opinion, because a particular officer had been accused of accidental inebriety, or another officer had given information thereof?—I conceive the institution would have suffered by any such discussion; I thought then that it would have been injurious to the institution to have lost the services of Doctor Hutchison upon any such ground, if such charge had been substantiated; in the other alternative, if the charge appeared to be made without proper foundation, I conceived that we must have lost the services of one or more persons whom I thought valuable servants of the Penitentiary.

Have you anything further to add to that answer?—I felt satisfied, that, after the course that had been taken, there was no danger of even a suspicion of such a circumstance occurring again.

Will you look at that paper (*handing a printed paper to the witness*), “Copy of “Statement to Morton Pitt, esquire,” and tell the Committee who were present when that report was made?—I was present for one; I must refer to the minutes of the committee.

Do you recollect any who were there?—I rather think that was a full committee; I think Mr. Holford and Mr. Wilbraham; and I should say, several of the new members were also present.

Was the whole of the correspondence that had taken place upon this occasion, and

and all the evidence to support the allegations, laid before the committee on that occasion?—It was before the committee; I cannot undertake to say, that every portion of it was read by every member; or publicly to every member.

*W. Courtenay,
Esq.*

(June 19.)

There is a passage in this report to this effect: "it is not a malicious tale, the result of cabal or intrigue; but it was a statement regularly communicated through a proper channel, the visitor, Mr. Courtenay, to the committee; and it was then, and still is, by the committee admitted to be true." Did the committee ever hear anything that Doctor Hutchison had to say upon the subject; did they ever hear any thing from him previously to their arriving at that conclusion?—The course that was taken has been already stated in the letter of Doctor Hutchison above referred to, and the interview with Doctor Granville, which are before the Committee; the committee did not, as far as I know, ever see Doctor Hutchison upon the subject. The paragraph referred to, was written in consequence of a letter from Mr. Morton Pitt, who took upon himself to state, if I recollect right, in a letter, of which he authorized the publication, that a system of malicious tale-bearing existed; and in which he manifestly inferred, that the imputations against Doctor Hutchison had rested upon such foundations alone; it became necessary, therefore, a necessity to which the committee yielded with much reluctance, to state in what manner the imputation alluded to, had originated.

Did not Dr. Hutchison, from the beginning, press for a minute investigation?—I can only answer that by referring to what passed with Dr. Granville; undoubtedly Dr. Hutchison, without hesitation, desired to meet the charge by a minute investigation and inquiry.

Did he ever receive a minute investigation and inquiry?—In what manner and upon what grounds that minute investigation and inquiry were afterwards waived, the Committee are able to judge, from a perusal of the statement, of what actually took place.

Is it the practice of the committee to decide upon the truth of charges alleged against officers of their establishment, without going into a minute investigation of those charges, confronting the witnesses before the person charged, and giving the person charged an opportunity of entering into a defence?—Certainly not, if the person charged is to be affected by any consequences arising from such charge; but if the question is meant to apply to the formation of some opinion by the committee, or of an individual of the committee, upon which no act is intended to be done, I can only say, that in this particular case, and I desire not to answer the general question as to what was the practice, but in this particular case I thought I should best discharge my individual duty by not calling Dr. Hutchison before the committee, and not going into a minute investigation of the subject.

It appears by this statement, that the committee came to a deliberate opinion that they believed the charge to be true; what evidence had the committee before them that enabled them to determine upon the truth of a charge, without hearing the defence of the person accused?—The committee had taken the evidence of Mr. Pratt and Mrs. Wilkinson, and the nurse.

Is it not apparent that the committee came to a decision against the character of an individual, without hearing him in his defence, and that they affirmed a charge without examining it?—No.

Did they hear Dr. Hutchison in his defence?—I have before said that they did not see Dr. Hutchison personally.

Did they confront him with the witnesses?—Certainly not.

Did they give him an opportunity of examining them?—Certainly not.

Did they show him the testimony upon which the charge was founded?—No.

Did they show him a copy of the charge?—No, not in writing; but they stated it through Dr. Granville to Dr. Hutchison.

Was Dr. Granville selected by Mr. Wilbraham, or chosen by Dr. Hutchison?—I cannot state that I have personally any acquaintance with Dr. Granville; he was selected as being believed to be the friend of Dr. Hutchison, and happening to be the physician usually attending Mr. Wilbraham's family; I had no personal acquaintance with him.

If you had received a letter stating, that in your situation which you fill so creditably to yourself and so usefully to the public, you had in any one instance fallen into the practice of which Dr. Hutchison was accused, should you not have called for a most rigorous examination into the charge?—I hope and I believe that I should.

W. Courtenay,
Esq.

(June 19.)

Can you then be surprized at the tone of indignation which was taken by Doctor Hutchison at a similar accusation being preferred against him?—I never was surprized.

Do you think that he would have submitted to that imputation being preferred against him and not substantiated, if he had not distinctly understood, that the committee had never entertained an idea of its truth?—I cannot possibly answer to what Dr. Hutchison, under any circumstances, might have done; I am led from subsequent circumstances to believe, that Dr. Hutchison considered the committee not to believe the statement, I consider that he supposed the whole to have been decided.

Is that statement of the committee's, believing the charge to be true, intended as an answer to a passage contained in Dr. Hutchison's letter to the committee. Was not the belief mentioned in the statement, intended as an answer to that, and that it appears that only the statement or charge was believed; but does not import that any decision was come to on the part of the committee?—My impression is, that it was called for by Mr. Morton Pitt's letter.

Will you state, whether at the time the proceedings alluded to in June took place, you believe that there was any one of the members of the committee concerned in those proceedings, who had any dislike to Dr. Hutchison, or any wish that a change should be made in the medical superintendent?—I certainly believe not; speaking for myself alone, I can certainly say, that it would have given me very great pain, indeed, if I had been led to do any thing injurious or even unpleasant to Dr. Hutchison; it is but fair to add, that I certainly concurred at a subsequent period, in the resolution which led to Dr. Hutchison's quitting the medical superintendence of the Penitentiary, and that my acquiescence in that resolution proceeded upon grounds altogether distinct from any circumstances connected with the transactions under review.

Will you be so good as to state to the Committee what were the circumstances which led the committee of the Penitentiary coming to that resolution?—It is already well known to the Committee that when the illness in the Penitentiary assumed so alarming an aspect, as it did towards the end of February last, the committee felt it to be their duty to introduce other medical advice into the prison; a selection of the two physicians was made in this manner; I was requested to get from a physician of great experience with whom I happened to be personally connected, the names of several physicians of good education and experience, and whose avocations should not be too great to permit them giving great attention to the prison, Dr. Roget and Dr. Latham were then selected; with Dr. Roget I had a long personal acquaintance; I knew him to have been, for twelve or thirteen years, a most active and useful physician to a charitable institution, in which I have taken some interest, the Northern Dispensary, and I considered that the experience which that situation and his previous situation of physician to the Manchester Infirmary, had given him, of the disorders incident to the poorer classes of society, together with his general intelligence, rendered him peculiarly fitted for the task we wished to impose upon him; with Dr. Latham I had no personal acquaintance, I knew him only by character; when these gentlemen began their duty at the Penitentiary, they were instructed by us to communicate fully and freely with Dr. Hutchison; we had every reason to believe that they did so, and we were consequently very much chagrined to find that Dr. Hutchison considered their appointment not as we had wished it to be taken, as a matter of satisfaction and ease to himself, but as, in some measure derogatory or insulting to him, he appears to have written the letter of the 8th of April 1823 under such feelings; upon receipt of this letter, and particularly upon reading the postscript to it, I felt convinced for one, and I believe the impression was the same on the rest of the committee, that from whatever cause it arose, the result was, that Dr. Hutchison and the committee, and Dr. Hutchison and the then existing establishment of the Penitentiary, could not go on well together; we felt under that appeal, coupled with other circumstances, that we could not go on; I am bound also to add, that it did appear to me, that although Dr. Hutchison probably understood the nature of the disease then prevailing as well as any man could understand it, from some cause or other he had not made that minute investigation into the disorder in its incipient state throughout the prison, which might have been done; I felt therefore that he had the less right to be angry at the introduction of other medical persons; but it is clear, that when those persons were introduced, there was no intention of superseding Dr. Hutchison by their introduction.

When

When the committee came to that resolution, that the two physicians were to communicate with Dr. Hutchison, did they mean that they were to consult with him as to their practice, or to communicate with him as to the disease, and he was to follow their prescriptions?—Our intention was, that the same course should be pursued upon that occasion as would be pursued in a private family, if an additional physician was called in, or whatever was the etiquette, that the practice should be followed in this case as in others. I believe in practice the result would necessarily have been, from Dr. Hutchison not practising avowedly as a physician, that the two physicians would naturally have taken the lead in the medical treatment; but undoubtedly there was not, I am certain there was not, on the part of the committee, the least disposition to place Dr. Hutchison in any situation unbecoming his situation as a gentleman.

Do you not think that, as it has been given in evidence that Dr. Hutchison found an objection on the part of Mr. Pratt to making up medicines which he had ordered, that that circumstance would naturally create in his mind, as a professional man, some jealousy between him and the persons who were called in?—I believe the circumstance referred to has been a little misunderstood; I believe the real state of that case to have been, that after the medical charge of the infirmary had been undertaken by Drs. Latham and Roget, who prescribed such medicines as they thought fit, Dr. Hutchinson inquired of Mr. Pratt, "If I was to order so and so for a patient, would you give it?" That is my version of the story, as I have heard it. Under the circumstances, I think, Mr. Pratt answered very correctly, that he could not; that he should be embarrassing the thing very much if he did.

Among the reasons for the committee coming to the resolution of separating from Dr. Hutchison, was it not the conviction that a good understanding, between the medical superintendent, the chaplain, and matron, is essentially necessary to the welfare of the establishment?—That certainly was one cause that operated very forcibly upon my own mind; and I am decidedly of opinion, that the medical superintendent who cannot see any conceivable connection between his duties and those of the chaplain, to such an establishment as that of the Penitentiary, has not a correct view of his own duty.

Did not Dr. Hutchison himself advise the calling in of other physicians?—I really do not recollect it; I should be sorry to say he did not, if there is a suspicion of such a thing; Dr. Hutchison certainly recommended recourse being had to other medical advice, with respect to the formation of the dietary; but I do not believe he did on the subject of the disease.

Do you know whether the two physicians refused to consult with Dr. Hutchison?—I do not know the fact.

Do you know whether the surgeon, by their desire, refused to make up his prescriptions?—I do not know that; but I conceive that it would have been absolutely impossible, consistently with due regard to the health of the prisoners, that the surgeon should be making up prescriptions for different medical men at the same time; some person must take the lead, as it seems to me.

Do you know whether Mr. Peel had sent for Dr. Hutchison to examine him about the state of the Penitentiary before Dr. Hutchison wrote that letter?—I do not know that fact otherwise than from Dr. Hutchison's statement; I have no doubt that the fact is so.

Has not the secretary of state, by virtue of his office, a general control over all the prisons and hospitals in Great Britain?—Yes, I believe so; a general control.

Was Dr. Hutchison actually the superintendent, or was he dismissed from his office, when you desired those two other medical gentlemen to be called in?—He was at that time medical superintendent; it was in consequence of his conduct afterwards that the committee thought it necessary, mixed up with other circumstances, to remove him.

Have not the committee, by the act of Parliament, a sufficient power to dismiss the officers of the Penitentiary?—Yes, they have.

Of course, by those other circumstances, you do not allude to any thing that passed in June last?—Certainly not.

Was the letter bearing date the 17th day of May 1823, considered by the committee as a letter addressed to an individual, and not meant for the public eye?—The passage alluded to in that letter, was drawn forth by Mr. Pitt's letter; and was in truth a sort of answer to the charge which he had made against the committee and the visitors, and it was addressed to Mr. Pitt alone; and it was the act of that gentleman or Dr. Hutchison, to put it into print.

W. Courtenay,
Esq.

(June 19.)

As it appears by a note of Dr. Hutchison's, dated Friday 7th June 1822, that Mary Turner died on the 19th of May, and the first information of his conduct being judged improper on that melancholy occasion, was not made known to him till the 7th of June, or three weeks afterwards; what was the reason that there should be such a lapse of time between the period of Mary Turner's death, and the making of this charge?—I have already stated, that Mr. Pratt desired to make a communication to me, but he did not give me any information of the nature of it, and I have not the least recollection of precise dates; I took as early an opportunity as I had of hearing the story, and of the first committee to carry it before the committee; and a further delay of a week occurred, because it was thought desirable that the letter should not be sent until the meeting of a second, in order that what they did should not be done in haste, or without due deliberation.

Veneris, 20^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Dr. Roget requests of the Committee to allow him to make the following addition to the evidence of *Dr. Latham*, given on Wednesday June 18th.

Dr. Roget.

(June 20.)

I BEG I may be allowed to say, that I fully concur in the statement which *Dr. Latham* has made of our sentiments on this occasion; and also to add, that we are convinced that these frequent visits, inspections, and interrogations of the patients in the Penitentiary by a succession of different medical men, some of whom have volunteered this office, and some of whom have gone round without our knowledge, independently of the prejudice occasioned to ourselves, have been productive of very injurious effects to the prisoners themselves; such perpetual interrogation on the same topics has raised suspicions in their minds that there is something wrong, that some blame has been incurred, that some mismanagement has existed, by which they may have suffered. It shakes their confidence in the measures adopted for their benefit; it renders them restless, and dissatisfied and impatient, and it indisposes them to conform to the medical treatment which is proper for them, of which the efficacy will thereby be much diminished; they are led to imagine that some plan is in agitation for changing their condition; they delude themselves with the hopes of pardon, and are in consequence tempted to exaggerate their complaints, and to resort to those arts of deception in the practice of which they are generally but too well versed. We must, therefore, most earnestly deprecate any further interference with us in the execution of the duties with which we have been intrusted, which are already sufficiently arduous, and which it would be impossible for us to discharge, unless we felt that we possessed the entire confidence of the parties concerned.

Peter Mere Latham, M. D. called in; and further Examined.

Dr. Latham.

HAVE you any thing to inform the Committee of, respecting a recent occurrence, which is confirmatory of the statement just now given in by *Dr. Roget*?—I have to state to the Committee, that this morning I had an instance which would prove to them that we are beginning to cease to have the control which it is absolutely necessary we should have over the prisoners for the success of our remedies. The Committee are aware, that, of the whole number under medical treatment, more than one half are considered to be well; but that nevertheless it is necessary, as we suppose, to keep them under the influence of medicine for the sake of preventing a relapse. Now I find that a great number of those patients have been in the habit of throwing away their medicines (pills) through the windows, as soon as they are given to them, and that we have great doubts whether any of those patients take the remedies we prescribe.

You are speaking now of convalescent patients in the galleries?—Yes.

Did you see any of the pills this morning that had been picked up?—No, I did not.

George Peter Holford, Esq. a Member of the Committee, made the following Statement:

" IN confirmation of what is stated by Dr. Latham, I beg to state that fifteen pills were shown me this morning, which had been picked up in the yard; therefore it is probable a much greater number may have been thrown out of the windows."

*G. P. Holford,
Esq.*

(June 20.)

Dr. Latham.—We consider it essential that those people should still have their constitutions for a considerable time under the influence of mercury, and upon no other conditions will we answer that they will not relapse.

Andrew Baird, M.D. called in, and further Examined.

DID you visit the Penitentiary according to the order given you by the committee?—Yes, I did, yesterday morning.

Dr. Baird.

State the result of that visit?—It was stated to me that there were 274 men in the infirmary, and 191 women; in all 465.

By whom was it stated?—By the surgeon, Mr. Pratt.

In the infirmary, or under medical treatment?—Under medical treatment; and I have no doubt, from the number that came before me, that they amounted to so many. The committee were anxious, I believe, to know whether there were any cases of scurvy now in existence; I could not trace any remains of that disease, or any thing that had any affinity to that disease, with the exception of one or two, and in those the shade of the disease was so slight, I would not have recognized as scurvy, had it not been previously understood that that disease had prevailed, and indeed it appeared to be quite subdued; the disease which appeared to prevail most, was diarrhoea and dysentery; many of those patients were under a course of mercury; and I believe most of them, and some very much under the influence of that treatment, as was evinced by the affection of their mouths, in a state of salivation; many appeared to be very slightly affected indeed with the disease, and were either convalescent of whatever disease they had, or labouring under slight symptoms. I was a good deal astonished to see some of them, who were stated to me to have been under the influence of mercury for seven or eight weeks, exhibiting no appearance of their mouths being affected, although taking it to a very considerable degree; not only taking it, as stated, every hour internally, but rubbing it in at night; still there was no appearance of the mouth being affected; and some of those, not a few, exhibiting very much the appearance of health, no wasting of their muscles, and their general health appearing to be good; I could not well reconcile to myself, that patients labouring under such a disease, so as to make their evacuations amount frequently to the number of eight or ten motions in the course of twenty-four hours, that this disease should have gone on for five or six weeks, and the people exhibiting no appearance of impaired health; from which I was induced to infer, that many of those cases had found their way to the infirmary without having any serious disease upon them. I was led to suspect this, knowing that they would have better quarters there, better food, and not have any labour to perform. On making this observation, however, to an honourable member of the committee, he assured me that the prisoners had not any predilection for the infirmary; he had not any reason to suppose that their cases were feigned. I inquired what evidence there was of this frequency of motions, whether they were examined each time or not, conceiving that some of their evacuations might have been preserved in the infirmary, I desired to see some of them; I found the practice was for them to go to the common necessary; therefore, there was none reserved for my inspection. The surgeon informed me, that he had inspected their evacuations, and was satisfied in most cases they had the disease. I, of course, am bound to believe that statement; but I can scarcely know how a man could attend to so many patients, and examine their evacuations. Had their evacuations been made in the common way of hospitals, having a bed-stool in the room, the thing could have been ascertained in a very tangible shape, and the nurses would be able to speak to it; but not having any such evidence, I still remain in doubt as to the generality of the cases being real, inasmuch as the general health not being, as you would naturally expect it to be, impaired, after such a confinement and labouring under such a disease; I must still have my doubts of the reality of many of the cases; and I should suppose that not only does it become necessary to ascertain that the disease does exist by such inquiry, but also, in a medical point of view, it becomes necessary, for a medical man, for his own satisfaction, to enable him to

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prescribe for the patient, in order to see what change is produced by the course he is pursuing.

In all the cases where the patients are ill and in bed, there was a night-pan in the cell?—I did not see that. In order to pursue the treatment of that disease with effect, it is necessary that the evacuations should be occasionally looked at, and the number regularly ascertained every day, reported by the nurses, and recorded in the prescription book.

Do you mean the number of evacuations each prisoner should have each day?—Yes, certainly.

By what means is that possible?—By the nurses; in referring to this disease, it seems to have been a disease that began at the time the season was extremely cold and unfavourable, and which was very unfriendly to the health of human life throughout the kingdom; and it appears to have succeeded what has been stated to be a scorbutic disease; for although I have had no evidence of that disease existing at present, yet the description which has been given of it to me, and by a man who is certainly very competent to judge of the disease, (I mean Doctor Hutchison,) I know no other disease to which it could have any affinity but scurvy, in a slight degree.

Were there any marks remaining upon the skin of any patients that you saw?—There was one man or woman, I do not recollect which, with spots upon the thighs; but this patient had scrophulous affection. The neck was affected with scrophula; and in the then appearance of it, I could not identify it a scorbutic eruption, though it might have been so; so that, upon the whole, I should be induced to conceive the diarrhoea which prevails at present, to be one consequent upon the scorbutic diathesis, excited by the severity of the season; a disease I should look with great confidence to its removal when the summer heat sets in. Yesterday the wind was to the eastward, which is always a noxious wind; and the day preceding that was very cold indeed. The weather has been so variable, that health is scarcely to be preserved amongst the robust. In looking at the present diet of the prisoners, six ounces of meat daily, with a pound and half of bread; I have ascertained the quality of the bread, which appears to be good wheaten bread: six ounces of meat with a pound and a half of wheaten bread, and a breakfast of milk and water with some flour boiled in it, (I tasted some of it); it is stated to be a quarter of a pint of milk with a half pint of water. If I were to offer an opinion upon that subject, I should certainly conceive such a quantity of oatmeal, given in the consistency of gruel for breakfast, would be a very desirable thing in the Penitentiary. I notice that there is a much greater proportion of females than of men sick; and I think the deaths have been greater in number among them. I would observe further, that giving them meat without broth, would appear to me to be an objectionable thing, particularly under present circumstances; solid food must always be considered objectionable to persons labouring under bowel affections; liquid food is what is generally advised, and that which I would myself most assuredly prescribe. Solid food I have ever considered objectionable in bowel complaints generally, either diarrhoea or dysentery. It appears by the memorandum I now hold in my hand, written by the surgeon, Mr. Pratt, that in the month of January, there were two men died; in February, there were three men and three females; in March, seven males and four females; in April, there was one male and five females; in May, four females; in June, up to yesterday, two males and one female; making in all, fifteen males and seventeen females. There seems some little difficulty in accounting for this; and where there is nothing like absolute proof, every thing must rest upon hypothesis. The men lay in hammocks, and the women in bed-places; the hammocks are taken down in the day and rolled up, and I understand taken out, and their beds and bedding shaken and exposed to the air; the females I believe never. Having yesterday seen one of the wards of the infirmary recently washed, and the patients lying upon the floor, some of them with their mouths seriously affected, in a state of salivation, I was inclined to believe that this process of washing might be carried on in the cells of the prisoners, and that the women's beds and bedding not being exposed to the air, remaining there, and exposed to the vapour that arose from washing, might absorb it; that their beds would be more damp than the men's on that account; and I was inclined to draw some little inference from that; I do not mean to say it is so, but I cannot too much dwell upon the benefit that may be always derived from exposing to the air, the beds and bedding of the prisoners as much as possible, provided the wind be not to the eastward, or the atmosphere damp; adhering to what is the fact, that the women's beds had
not

not the same advantage of exposure to the air, I may be allowed to attach, and do attach some little disadvantage to that circumstance; it appears also, that during the late very scanty ration which the prisoners had, that the females had still less than the men, and viewing, as I do, that that ration was too small, the females would experience the disadvantage in proportion to the reduced state of the ration; still two ounces of meat boiled in a quart and a pint of water, must impart its nutriment in such a diluted state as to afford very little nourishment, at least as far as animal juice went, to the prisoners.

You are aware that the soup was thickened with barley and pease alternately, and very fully supplied with vegetables?—I am; but still I conceive it was vegetable soup, so that upon the whole I am disposed to believe, that the reduced diet had induced a state of debility, which with the exciting cause of the very cold season, might have produced a disease in the shape of scurvy, as it was ascertained to be in the first instance.

Did you inquire as to the medical treatment of those cases, the diarrhœa and dysentery that you saw?—I did.

Did that medical treatment appear to you to be successful?—I cannot say that it was demonstrated to me, it was a treatment altogether new to me; I had never seen it practised either in this or any other climate to such an extent, that of attacking the disease by mercury through the medium of the constitution, it was quite new to me.

Were cases pointed out to you that had been subjected to this treatment, who had been cured by it and the diarrhœa stopping just in proportion as the constitution was affected by mercury?—It was pointed out to me that that was the case.

Do you not think that one fact, as far as that patient was concerned, sufficient to establish that the treatment was a salutary one?—I should never feel myself bound to believe the report of a patient, at least men in their condition of life under the circumstances they are placed there, unless I have thorough evidence of their disease being what they described it.

Were you not informed of that by the medical authority who attended you round the establishment?—Certainly, Mr. Pratt said he had ascertained it; but I still believe the thing extremely improbable.

Supposing Dr. Roget and Dr. Latham were to state to you, that they had found that practice to have been salutary, and that the disease had been conquered just in the proportion that the remedy had been used, should you consider that testimony as decisive upon the subject, as far as the cases that had been subjected to that treatment, were to be taken into consideration?—I should be extremely unwilling to doubt the report of men so respectable in the profession; but I conceive (for I cannot imagine why a diarrhœa should resist any length if treated in the usual way) a disease may sometimes yield under medical treatment, perhaps without any reference to the remedy applied in the cure, so that if I should discover that cases of this nature, got well under the usual treatment, which I may be allowed to describe, in as few words as possible, by gentle aperients, the occasional use of laxatives, chalk, mixture, anodynes and starch, injections, I would say, if I found slight cases yield under such treatment, I should not feel myself called upon to have recourse to any other.

But supposing that all those treatments you have just mentioned had been tried without success, what would you then do?—When cases have resisted all the usual modes of treatment, I conceive that a medical man is then justified in pursuing any other that promises greater success.

And if the result of that second practice should be more successful than the first, would it not be just reasoning to conclude, that you had changed for the better, and that the practice you had adopted last, was the true one?—Change of season and change of weather will make a most material alteration in the success or failure of a medical man's practice in this disease; we have lately had some very fine weather, so much so, that the governor of the Penitentiary seems to be aware of the influence of the weather upon this disease; that the morning I went in, he said, I am afraid we are not so well, the wind has been cold to the northward; but I may venture to say, in a disease of this kind, that the influence of the atmosphere must be very great, and so much am I of this opinion, that I place great dependence upon this disease exhausting itself as the greater summer heat sets in.

Are you aware that the Committee have received evidence from a physician of the name of Johnson, the other day, who stated, that he had been in all parts of the globe, in tropical climates as well as the northern climates, and our own tem-

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perate ones; and that he had universally found the treatment which had been adopted in the Penitentiary, namely, the application of mercury, and to that extent, the most successful practice that he had ever seen?—I do not doubt he has so stated; in similar cases, diarrhœa, I never have thought of saturating the system with mercury; in chronic dysentery, where every medicine has failed, I have there seen calomel given with a view of affecting the mouth; but I venture to say, that this is not a practice that applies to all stages of diarrhœa and dysentery.

In point of fact, were you informed that it was the practice in the infirmary, to saturate the constitution with mercury in all the cases of diarrhœa that occurred there?—I understood so yesterday, that that is the practice now; it was stated by Mr. Pratt, it was administered in recent cases with the view of affecting the mouth; if mercury be given every hour, it cannot but be with that effect.

Was Dr. Roget with you part of the time?—He was.

Did he state the practice that had been followed?—Dr. Roget did not say much upon the subject; the practice was plain and evident before me, as far as those went that were very much under the influence of it.

Did you ask any questions respecting the practice in the early part of the disease?—I felt delicacy in questioning Doctor Roget as to his practice; the evidence I had before me of men in a state of salivation, clearly showed me that was the prominent dealing in the treatment of the disease.

Might not that have been in the very case you have supposed, in the chronic stage of the disease?—I questioned some patients, who told me they had been taking pills every two hours, which I concluded was the form of the pill which Mr. Pratt had prescribed in the morning.

Were those patients, patients recently admitted for this disease?—I think I saw but few that had been recently admitted, not many days; a great many appeared to have been there eight or ten weeks.

State whether those cases of persons who were taking the pills in the manner you describe, were cases of persons recently admitted, or admitted upon relapses, or who had been long in the infirmary?—Several of them were questioned as to the time they had been there, and a memorandum made by Dr. Granville; many of them had been there eight or ten weeks.

You have stated, that it may be the cause of this disease, that the cells are often washed; did you make any inquiry as to the frequency of washing the cells?—It did not occur to me to make it there, I have only been led to make it now, seeing the washing as I was coming out of the prison.

Was it in the infirmary or the cells?—In the infirmary, I venture to say, having seen the floor recently washed.

Had you any opportunity of making inquiry, as to the frequency with which the cells were washed in the prison?—I had not.

What induces scurvy, generally speaking?—At sea it has been produced by living long upon salt provisions; perhaps the food being in a vitiated state, and not affording the necessary nourishment; it is also a disease of debility, and foul air, and cold and damp; there are several instances to prove this, that bad weather, and cold and foul air, will have a great share in producing it. I could mention numerous instances that led me to that conclusion, and convinced me.

You have stated, it may be possible that the greater degree of sickness that prevailed among the women, may be owing to their beds not being so well aired as the men's: and you have stated, you understood those beds were not brought down into the yard; did you inquire whether any means were taken to air the beds of the women, by hanging them up in the cells?—I was aware that had been done, but I did not know the general practice; I put that as merely matter of opinion. I began by saying it was difficult in a case of this kind, to come to a conclusion; I would rather combine that as a cause with the diminished rations the females had.

You have stated you found patients lying in beds on the floor?—In one infirmary there were no cradles; all the patients were on the floor.

You mean in one room of the infirmary?—Yes.

Did you understand that the room had been washed or wiped with a wet mop or cloth?—I did not inquire into that; I saw the floor was wet, quite wet, and that water had been recently applied to it.

You have stated, that from the character of the prisoners who were there, you would not put much confidence in their statement of their symptoms; the Committee wish to know from you, whether you would put more confidence in their statement of their medicines given to them?—I cannot say I should.

Any

Any information you could have received from the patients themselves, either as to their symptoms or their medicines, must be taken with considerable hesitation?—Certainly; for as I have said before, when I saw the men or women exhibiting every thing like healthy countenances, and whom on examining and feeling the muscles of the calves of the legs and finding them firm, and all this denoting healthy constitution, I must say I could not account for why the patients should have been eight weeks labouring under a disease that produces so much waste of the body and health.

Dr. Baird.

(June 20.)

Is mercury usually given in cases of scurvy?—Never; I should think it a most dangerous and pernicious practice, such as I never heard suggested by any practitioner.

Do you think depression of spirits would have any great effect upon the diseases now prevalent, the dysentery and the diarrhœa?—Where depression of spirits does prevail, it must act as a debilitating power upon the constitution, and therefore produces a susceptibility of the existing disease.

And consequently protracts the recovery?—Yes.

What effect do you think the use of tobacco would have in the Penitentiary?—I have always thought it a good thing.

Do you think it would be beneficial or otherwise now, if the men and women were permitted to smoke, those who were inclined so to do?—If it was merely as to fumigating, I conceive it would be a very good thing; but I am not aware it would be beneficial in the treatment of the disease; as far as fumigating the atmosphere went, it would be a very good thing.

Does that opinion go upon the notion of it being contagious or not?—No; it is what would be considered an agreeable odour to those who have been in the habit of using it; I do not consider it offensive though I do not use it.

You only apply it to that part of the prison where they have been in the habit of smoking?—I do not see any objection to it generally.

You saw nothing in the infirmary of bad air, that would induce you to think that the use of tobacco would be advantageous, as smoking?—I am not aware that I did; when there are many patients together, the steam or effluvia arising from men in a state of disease, may create something unpleasant in the state of the atmosphere.

Did you observe, in going round the prison generally, that the atmosphere of the prison was unpleasant?—No, indeed I did not; on the contrary, my observation was, that the prison was extremely clean and exceedingly well ventilated throughout, that was my opinion, and I so expressed it.

Peter Mere Latham, M. D. further Examined.

WHAT means have been taken to ascertain that the disease of which the convicts complained have been real and not imaginary?—We have taken all the means which any medical man can possibly suggest to us; we beg that any test may be mentioned to us, and that we should be asked whether we have or have not put the disease to that particular test.

Dr. Latham.

Have the evacuations been so preserved as to enable you to judge of them?—Constantly.

Was the mercury resorted to to the extent in which it is now used in the first instance, or were other modes of treatment first tried?—All other modes of treatment; all common modes of treatment were resorted to, until we found that the disease very extensively relapsed.

Have you and Dr. Roget frequently, in going through the prison, found the floors or pavements wet?—Certainly not.

When Dr. Baird was there yesterday, and observed one floor wet, is that an exception to what is generally observed in the Penitentiary?—It is a thing I never saw.

If you had seen it should you not have immediately observed upon it?—Strongly disapproved of it, particularly in that room.

Have you any observation to make upon what has been said?—One word only; after the hinting and hesitating and disapproving that has proceeded from our learned brethren, for so many days past, we think it but right that we should state our unanimous conviction upon this matter; and the unanimous conviction of my colleague and myself is this, that if we had not treated this disease upon general principles, and that if in particular we had not pushed that one

Dr. Latham.

(June 20.)

remedy of mercury to the full extent to which we have pushed it, every one of the individuals who have been affected with dysentery in the Penitentiary, would have inevitably perished; we stated it as the result of our observation, that there are certain dysenteries (and the dysentery of the Penitentiary is one of them) which are as certainly controlled by mercury as that disease is certainly controlled by it, for which mercury is a reputed specific; that the symptoms of this disease will as certainly disappear, or are abated, when the mouth becomes affected, as venereal sores disappear or amend under the same circumstances, and this is what we have witnessed, with a very few exceptions, in the Penitentiary. Further, I would state, this is no new opinion, for I must be allowed to observe, that we know (if some gentlemen who have been examined here do not know) that this remedy has been employed for ten or fifteen years, by the most intelligent medical practitioners in every quarter of the globe, for the cure of this self-same disease; therefore, when it is hinted that this remedy has never before been employed for such a purpose, we can only say, that if indeed it never had been so employed, we necessarily become entitled to the high reputation of great discoverers in physic; to which reputation, however, we resign all claim.

Augustus Granville, M.D. called in; and further Examined.

Dr. Granville.

HAVE you been at the Penitentiary?—I trust the Committee will allow me the indulgence of looking at some notes, for I wish to speak to facts, without which, I should consider my evidence would be worth nothing: I visited the Penitentiary yesterday morning, in virtue of an order, which the committee was good enough to give to me, in company with Dr. Baird, and though I do not profess to have seen all the patients now under medical treatment in the infirmary, or in the cells now used for the purpose of the infirmary, I can say that I have examined very attentively a very large number of them, assisted by the governor and the surgeon; and subsequently in the company of Mr. Holford, and Dr. Roget, one of the attendant physicians, who very readily and kindly furnished me with every verbal information I required of them.

What is the opinion you have been able to form as to the nature of the disorder prevailing there?—With some few exceptions all the prisoners I saw or examined, have been labouring under various modifications of a bowel complaint, for two, and in some few cases, three months, with more or less intensity in the attack, so that in some it appeared as common diarrhœa attended with pain in the belly, &c. and in others, as dysentery with fever, and in some few cases, with the appearance of blood in the evacuation; some were convalescent from the first and only attack they had experienced; some were recovering from a first and a second relapse they had had after recovery; others were ill in bed with fever and some symptoms of active disease then going on; some who were ill and complaining, had had only one or two evacuations a-day, while others had had eight, nine, ten, eleven, and even twelve.

What was the number of the prisoners you found under medical treatment on the day you visited it?—Up to yesterday, I understood, from inquiry, that there were 450, or thereabouts, on the sick list, in the total population of a little more than 850 prisoners; so that nearly one half of them might be said to be under medical attendance; but it is possible that number may have even increased to day, for I found, upon inquiry of Mr. Pratt, out of the number of admissions taken at random for any fifteen days, that the average number admitted daily was about twelve; I do not mean to say it is so now.

Were there any patients at the infirmary that might have been discharged?—I think several of them. The reason given to me why they were not discharged, I thought a very good one; namely, that when some had been discharged, several of them had returned with relapses, and it was thought right, by the medical attendants, to continue them longer under their attention, and under the same medicine, though in reduced doses.

That conduct you approved of?—I thought it judicious, as far as the measure of retaining them under observation went.

Did you direct your attention to the existence of scurvy, as indicated by spongy gums and spots on the legs among the prisoners?—The previous existence of scurvy among the prisoners in the Penitentiary, together with the presence of both spongy gums and spots on the legs in some of them, having been admitted, as I thought, on all hands, both in evidence and documents before the Committee, corroborated by the testimony of a person whom I cannot but consider as the best

best witness examined here, (I mean Sir Gilbert Blane), I thought it was scarcely necessary for me to direct my attention to that point, so much as to the disease now prevailing, and the treatment of it.

Dr. Granville.

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Did you find any gums affected by scurvy?—Generally the prevailing affection of the gums by mercury was so great, that it would have puzzled a person well acquainted even with the scurvy to distinguish the one from the other; there were, however, some cases, but very trifling, in which, out of the few that I examined more particularly, the gums seemed to have been affected by scurvy rather than by mercury.

Is it your opinion that the present complaint is at all connected with the scurvy that existed in the Penitentiary in February last?—If it be admitted, that what I have stated last is correct as to the prevalence of scurvy; and having been informed yesterday that the bowel complaint in some cases accompanied the period of prevalent scurvy, and became more general immediately upon the scurvy decreasing, I should say that the present bowel complaint is probably connected with the former scorbutic diathesis of the prisoners. Indeed, I have reason to think, that that opinion coincides entirely with that entertained by Dr. Roget, if I did not misunderstand his reasoning during his conversation with me yesterday.

What were the causes of the complaint, in your opinion?—In my evidence given before this Committee on a former day, I said, that abstractedly speaking, (as I had not then seen the prisoners in the Penitentiary,) it was impossible, or, at all events, not easy to describe the positive cause of scurvy appearing among a large mass of persons congregated together, except in the cases of sailors on board ship; but since I have examined the Penitentiary, and taken the cases of the prisoners into consideration, I am inclined to think, not that the deficient quantity of food, but the quality of the food in the diet of the prisoners, during a season very remarkable for its great severity, was the cause of the appearance I now describe.

What do you mean by the quality and not the quantity?—I mean, that it was of too liquid a nature; the same quantity of animal matter given in a solid form twice a week, with bread, and warm gruel or porridge every day besides, would, in my opinion, have prevented the appearance of the disease; I speak not from conjecture, but observations made with regard to the prisons to which I have alluded in my former evidence. The prisoners were said, by the last dietary of the committee, to have as little as, and, perhaps under, three ounces of animal matter a day; supposing them to have three ounces, or I will take it as low as two ounces, if that daily proportion be summed up for a week, and the whole quantity had been distributed in a solid form, in two equal portions every Sunday and Thursday, so as to give to each prisoner, twice a week, a good meal of seven or eight ounces of meat, which is more than we eat *daily* ourselves, the scurvy, I think, would not have appeared. Indeed I have stated in my former evidence, that in some of the largest prisons in Paris, and from the evidence of two gentlemen who have visited the prisons in Italy, by far the most crowded of them, and not kept in a state of the highest order, the diet of only two solid meals a week, and bread and water every other day, had been followed by no such appearance as the scurvy.

How do you account for the diarrhœa becoming even more prevalent after the diet you have alluded to was changed, and six ounces of solid meat given daily to each prisoner?—I believe the explanation would occur readily to every medical man. By a too liquid diet, if I am correct in my position, some of the prisoners became affected with the disease I have mentioned, and most of them, if not all, might have become greatly weakened, particularly in their stomachs or digestive powers; in such a condition of their constitution, the sudden transition to a richer and more animalized diet, would produce irritability of the stomach and bowels, and necessarily diarrhœa. That concurs with my opinion, and that of others. Indeed, in cases of simple diarrhœa, even in private practice, where we have found it necessary to diminish the quantity of animal food to effect a cure, it has frequently happened that a relapse has taken place upon returning to animal diet; and to this cause I may attribute the very frequent relapses among the prisoners in the Penitentiary.

Do you suppose the transition at the Penitentiary was immediate, or was it gradual?—I understand upon complaint being made of the diet, it was ordered it should be at first, four, and then six ounces of meat, which I am informed is the case now, with good wholesome wheaten bread; but the stomach does not recover its tone in five or six days.

Dr. Granville.

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Have you inquired respecting the medical treatment adopted in the present instance in the Penitentiary?—I have as far as I could; since April last, no regular register has been kept, although I have understood, that Mr. Pratt keeps a day book, in which the name of the patient attacked with the disease, with the number of pills each is to take, is recorded; but no medical register, showing the day of the attack, the number of evacuations, and the increase or amelioration of the symptoms, has been kept as far as I can understand, although I dare say each medical attendant has made his own private memoranda upon the subject. My information upon the treatment has been limited to a few questions put to Dr. Roget and Mr. Pratt. The treatment, however, seems so little complicated, that I found no difficulty in comprehending it; it consists in impregnating the system with mercury, and producing salivation.

Have you been able to form any opinion respecting the propriety of such treatment?—In answering that question the Committee will permit me to observe, that dissenting as I do, as to the propriety of the treatment, for reasons I will briefly allege, from the two very respectable individuals, the physicians who have thought proper to recommend it, I do, not mean to cast the slightest blame on them. On the contrary, from conversation with Dr. Roget, it appeared to me that having as it were no previous personal experience of the disease occurring in such a large mass at once, (a fact which appears from their own evidence) they very cautiously and I think prudently felt their way; they state that having found the treatment proposed and recommended by the medical superintendent to have failed, they therefore determined upon trying what mercury combined with chalk would do. In pursuing this plan, a female patient accidentally became salivated. From that moment, it is said, that the evacuations decreased in number. This as it were opened their eyes to the propriety of the general treatment; and from that moment directions were given for a certain quantity of mercury, which I will state presently, as I obtained it from the surgeon, to be given so as to produce salivation; and such was the persuasion that nothing but salivation would do, that where the mere taking of the internal mercurial preparation did not succeed in affecting the mouth, mercurial frictions were directed to be employed. The quantity of mercury combined with chalk, which is a preparation very well known to the medical profession, taken by each patient, has been as much as five grains every two hours, which is equal to thirty grains of the preparation in the twelve hours, consequently to ten grains of oxyd of mercury during the same period; the quantity of mercurial ointment employed for the purpose of friction, was not stated.

Who gave you that account?—Mr. Pratt showed it me on the book kept up to April, a sort of day book; and many of the patients stated themselves the number of pills they were taking in the presence of Mr. Pratt, who was ready to contradict them if they were incorrect. Of course the Committee will not expect me to say, whether I am prepared to state what the consequences were of this treatment; I can only repeat, that I found 440 or 450 patients on the list under medical treatment; that in most of them the disease had continued eight, ten or twelve weeks, (I beg that that expression of mine may apply to the number of cases I examined, my attention being directed to those who had been the longest time there, and continued ill, notwithstanding the use of mercury, and the use of mercury was simultaneous with the whole time I have mentioned;) that great complaints of relapses were made by some of the officers of the Penitentiary; that a large number of the patients had their mouths ulcerated or salivated to a high degree; that many of the latter are in bed, better with regard to their bowels, but still in bed and not able to leave it; that none have been discharged since the first of June, according to the statement made to me by Mr. Pratt; that thirty-two appear to have died since January, which gives a mortality of seven in the hundred; and that of fourteen or fifteen that have been examined *post mortem*, according to Doctor Roget's communication with me, the intestines were found in a state of ulceration in the majority of cases.

Do you consider the ulcerated state of their intestines as furnishing an evidence, that the remedy of mercury ought not to have been given?—The practice generally followed in cases of disease of the bowels is such, that any substance irritating, and likely to increase the action of those parts, may be suspected to be the cause of ulceration, if such ulceration be found on dissection; and I consider mercury in large doses, producing salivation, (it is my individual opinion, which I believe is supported by great authorities likewise,) as an irritating substance, particularly in the state in which it is given, the metallic oxyd.

Are

Are you connected with the publication of any medical journal, in which this subject has been treated on?—I have been sole editor of the London Medical Journal for nearly two years up to 1822, when I was obliged to give it up, from my occupations not permitting me to continue it; and I have had occasion to discuss and review books on the subject of diarrhoea and bowel complaints in warm climates, and as it occurred in large armies, that have come before the public, as well as systematic works upon diseases of that nature.

Has Doctor Johnson, who gave evidence here the other day upon this subject, himself conducted any review, or written upon the disease and its remedies?—He has not only conducted such a journal, but conducts it at this moment; and he has also written upon the diseases of the parts in question, as well as upon the diseases of tropical climates, in which that subject forms a very material point of consideration.

Have you any opinion of his upon that subject?—It is not easy to give a precise answer to that question, for I, like many other persons who have read successively, not only his professed works upon the subject, but his opinions as a reviewer also, thought that they appeared to vary so frequently and so much, that the Committee will see how difficult it would be for me to state precisely that I understand his sentiments upon the subject; and I was not present at his examination, therefore had not the benefit of it to shape my answer.

Then, if you were told that Doctor Johnson had strongly approved of the practice as adopted in the Penitentiary, would you have considered that opinion as conformable to the opinions given in works of which he was the avowed editor, though not conformable to the reviews of which he might be the writer?—Certainly conformable to what he has himself recommended, and with the practice, indeed, of which he considers himself to be nearly the discoverer. In one of the editions of his work on derangement of the liver, he expressed an opinion, which opinion, however, he altered in a subsequent edition, having recommended twenty grains of calomel in diseases of the bowels and dysentery, two and even three times a day in the one edition, and only one grain six times a day in the other; there being the difference of a year or two between the two editions. Indeed the practice has been since known under the name of the scruple-dose-practice of India.

Is the Committee then to understand, that you object to the use of mercury in this disease?—I wish the Committee to understand that I certainly do; and I will assign a very few reasons, for without them, I consider any personal opinion of a man of no weight like myself, might as well not be uttered before this Committee. I object to the use of mercury in the doses alluded to, and with a view to produce salivation, in the disease under consideration, (for I wish to be understood as not condemning the occasional, but the indiscriminate use of it as a systematic plan pushed to salivation;) because there are none of our great medical authorities to which we are in the habit of looking up for a guide, that mention the propriety of using it; nay, some of them deprecate it as very pernicious. I also object to it, because the very respectable writer to whom allusion has just now been made, has himself recommended strongly a systematic work lately published upon the subject of irritative diseases of the bowels, &c. in which every thing likely to irritate, or produce the action that mercury produces, is condemned; and in which mercury is scarcely mentioned. I do object to mercury, particularly when pushed to salivation, because I find it very difficult to comprehend, how any disease in which, when it proceeds to its worst period, even under the boasted treatment of mercury (as it appeared in the dissection of some who died in the Penitentiary) the lining membrane of the bowels has been found ulcerated, is to be cured by producing ulceration of another part of the same membrane. I object to mercury also, because in some documents, to which I can refer the Committee, of the recent practice of physicians and surgeons of this country, the great fatality that has taken place, wherever dysentery has prevailed, and has been treated with mercury, is ascribed by the practitioners themselves to the use of mercury. I am now alluding more particularly to this disease as it prevailed in St. Helena upon a very late and memorable occasion, when the surgeon treated 230 cases of dysentery with mercury, and lost 26 on board ship, and as many in the hospital on shore; and where the surgeon ascribed that fatality to the use of mercury, which he was induced to adopt in consequence of the recommendation of that practice by one or two writers upon the treatment of the diseases of tropical climates; and if the

Dr. Granville.

Committee will allow me, I will lay the document upon the table; it is in a medical work.

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[The same was handed in.]

OBSERVATIONS on the Climate and Disease of St. Helena.

WE have much pleasure in laying before our readers, an abstract from an official document, showing the diseases which prevail on the St. Helena station, together with the remarks of the surgeon to Lemon Valley Hospital, and to the admiral at St. Helena. All we have to add to the interesting detail below is, that the reader must keep in mind the peculiar duty attached to the service on that station; we mean the exposure the seamen are subject to in rowing guard round the island, in order to keep secure their distinguished prisoner.

General Return of the Sick of the flag-ship of the Admiral commanding at St. Helena; from the 4th February 1819, to the 30th October 1820.

DISEASES.	Put on the Sick List.	Discharged the Sick List.	Sent to the Mountains.	Sent to L. V. Hospital.	Died.	Invalided.
Fevers - - - -	23	16	2	3	- - -	2
Dysenteries - - -	206	122	33	4	25	8
Ulcers - - - -	22	13	1	8	—	—
Wounds and hurts - - -	107	102	- - -	2	- - -	1
Pulmonary inflam. - - -	11	11	—	—	—	—
Liver complaints - - -	96	68	17	4	- - -	3
Cholera - - - -	30	29	1	—	—	—
Catarrhs - - - -	200	196	3	1	—	—
Local inflammation - - -	86	81	- - -	5	—	—
Entecitis - - - -	3	1	- - -	1	1	—
Tetanus - - - -	1	- - -	- - -	- - -	1	—
Rheumatism - - - -	11	8	1	- - -	- - -	2
Hæmoptisis - - - -	3	1	- - -	- - -	1	1
Insanity - - - -	1	- - -	- - -	1	—	—
Miscellaneous complaints -	61	53	1	1	1	3
TOTAL - - - -	861	701	58	36	29	20

REMARKS:

From February to July 1819, the station was very healthy, the few complaining were affected with symptoms arising from a diseased secretion of the biliary system, affecting the liver and bowels; in April 1819, the number of the list was so low as four; in July, dysentery, the scourge of the seamen on this station, made its appearance in a very aggravated form; in the worst cases, it appeared to run its course unaffected by any mode of treatment. A variety of remedies were used without affording the hope of bringing this unmanageable disease under medicinal control; blood-letting, now so generally employed in the diseases of warm climates, could not fail to suggest itself, and has been much recommended by some; most plentiful evacuation has been advised and put in practice, and they appear to have considered the disease as analogous to entecitis, to be cured only by copious venesection, but I think my experience has taught me to view it in a different light. In the commencement, when any symptoms of fever are present, it appears to me useful to have recourse to one free blood-letting; which symptoms continuing, the lancet may be again used the same or following day.

In very advanced periods of the disease, when severe pain in the abdomen has supervened, much increased on pressure, I have been in the habit of directing the use of venesection to a small extent, with evident advantage. It appears that inflammation often takes place in the progress of the complaint, but in my opinion it is rather symptomatic than idiopathic, caused by the straining or by the irritation of the acrid contents of the intestines. In such cases, I have often seen great relief afforded by the subtraction of a few ounces of blood; but in cases where the above symptoms do not exist, it is my opinion that the loss of blood is hurtful. Calomel has been highly extolled in this disease, but I cannot confirm the encomiums it has received; as a purgative it, I do not doubt, is useful, but its continued use does not appear to warrant the praises bestowed upon it by many. In some anomalous cases I have found it have good effects, but I am sorry that experience does not enable me to confirm the observation, that when a patient's mouth is affected by it to salivation, that he is safe. In many cases this effect cannot be produced, but even when it is obtained, an amelioration of the symptoms by no means necessarily follows. In some of the cases that proved fatal, the salivary glands were freely affected; and in others the disease has recurred before the salivation has ceased. Ptyalism has repeatedly been induced a second, and even a third time, but the good effects were often temporary only, and the patients have eventually died. It has appeared to me, that the common effects of the system being affected by

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by mercury, are an increase of the frequency of the stools, which become more copious, and are passed without straining; the patient is free from pain, the skin being covered with a copious and often viscid perspiration, the countenance sinks, debility increases, and death follows when these symptoms cannot be checked. Purgatives, combinations of rhubarb, pulverized ipecacuanha, and opium and antimonial medicines, are often useful; but medicines require to be changed in the course of this disease, and have different effects in different cases. Wherever there are any symptoms of diseased liver, mercury was always had recourse to, either by friction, or given internally, or both methods were adopted. Blisters, fomentations and pediluviums are often useful. Tenesmus was in many cases by no means troublesome. The most frequent seats of pain are the hypochondria, umbilical region, and over the site of the caput cœcum coli, which part of the intestine, upon dissection, is often found diseased; indeed the internal coat generally of the great intestines, was frequently found one common ulcer; the ligamentous bands of the colon were often contracted and much thickened; appearance of much turgescence in the blood vessels of the mesentery, in general, pointed out that great congestion had taken place. The omentum was often much diseased, its ædipose matter gone, and its substance shrivelled up, and the blood vessels much enlarged. The liver was sometimes one large abscess, but in other cases it has been found sound. When patients are convalescent, the greatest advantage is derived from sending them to the country; High Peak, to which they were sent, is, as its name denotes, an elevated situation, which makes the change of climate considerable. Hepatitis is a very common disease on the station, but in general in its acute state is very much under medical control. Large and repeated blood-lettings are necessary, together with mercurial friction and purgatives. A change of climate, which the country here affords, is useful in restoring the strength of the patient, as well as in preventing any permanent disease of the liver. What cases of fever have come under my care, have been treated by blood-letting, and occasional purgatives, and in general with success. Convalescence is often slow, and complaints of the digestive organs are apt to supervene, and carry off the patient. Catarrhs, at certain seasons, are almost universal, and often very severe, requiring active treatment.

The following is an abstract of the Journal kept at Lemon Valley Hospital. The number of cases of dysentery which terminated fatally is in some measure to be accounted for, from the worst cases in general being sent for hospital treatment, and many of them did not arrive at the hospital from their ships, until all hopes of recovery were gone.

DISEASES.	Number Admitted into the Hospital.	Discharged to Ship cured.	Died.	Invalided.	Left at L. V. Hospital.
Continued Fever - - - -	10	9	1	-	-
Pneumonia - - - - -	4	3	1	-	-
Hepatitis - - - - -	29	15	3	8	3
Dysentery - - - - -	57	29	26	2	-
Ulcers - - - - -	9	9	-	-	-
Wounds and Accidents - - -	6	4	1	1	-
Rheumatism - - - - -	3	3	-	-	-
Scurvy - - - - -	7	7	-	-	-
Phthisis - - - - -	3	-	1	1	1
Other complaints - - - -	16	10	-	5	1
TOTAL - - -	144	86	33	17	5

Do you know whether this document may be considered an official one?—I have no reason to believe otherwise.

It is contained in what journal?—The Medical Record, which is no longer in existence at this moment, and confirmed by the observation upon this subject, of one of the gentlemen just returned from St. Helena, of the name of Evans, who states that the dysentery was certainly scorbutic dysentery, making it more applicable to the case under consideration.

When the committee went round on June 9th, there were 170 patients in bed; do you know whether that number was either greater or smaller when you were there?—I confess I did not direct my attention to that point, having made so many inquiries, and tired the patience out, as I thought, of the gentlemen who accompanied us, I did not think of inquiring as to the total number of those in bed; I believe we only went into three or four wards, which we were told were not the only ones that had patients in bed.

Do you not consider that number very considerable, out of the number of patients?—I certainly consider it a large number.

Do you happen to know that the practice of rubbing in the mercury has been adopted, particularly from finding that the patients did not take the pills in many instances

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instances which were given them?—I do not know the fact of my own knowledge; I can easily understand it may be so; but at the same time I must state in explanation, that in one or two cases in which frictions were used, upon my asking the reason for it, I was informed that the mouth did not appear to be affected by the use of internal remedies.

May not the circumstance have arisen from the patients having contrived to secrete the pills, instead of taking them?—Decidedly; the absence of the affection of the mouth might have occurred from that circumstance, but I thought when pills were directed to be taken every two hours, it was the practice, as in hospitals where epidemic diseases prevail, and such suspicion is entertained as the question implies, that the assistant surgeon, or some other person, should go round and see that they took their medicines.

But when you consider that there are 460 patients, of whom a considerable number are taking pills at certain times in the course of the day, is it possible that any medical superintendent that could be provided could undertake to see such a number of patients take their pills, so as to say that they were taken?—Certainly not the medical attendant, but some other person that might be depended upon: I have attended hospitals where six, seven, or twelve hundred persons were in bed, each taking their medicine morning and evening, and receiving it from the hand of one or more persons, on whom reliance could be placed; it is as easy to distribute medicine regularly as it is to give food at particular times of the day.

Is it not possible to pretend to swallow a pill by keeping it in the mouth?—There is no discussing possibilities.

Might not a prisoner in that mode elude the vigilance of the officer?—Suppose that to be my impression, it would only make me the more vigilant in providing something to prevent them from so doing.

Do you know, that those spots discovered in the intestines after the death of the prisoners, were found in the bodies of those who had not taken mercury as well as in those who had taken it?—From the information I have been able to collect, the impression on my mind is, that many had taken mercury, but I am not positive, not having obtained the information when I asked for it; not from any unwillingness on the part of Dr. Roget, to give it, but on account of the distance of time, he said, he could not mention which of those, where the appearances had been observed, had taken mercury, or had not taken it.

Do you happen to know, whether several bodies were opened who had been affected with the disease before the use of mercury?—That question throws great light upon some I have just answered, and which I found it rather difficult to understand. I do not mean to be understood, that the use of mercury has produced the ulceration of the intestines, where such ulcerations have been observed after death; but that, where a disease of this kind, from its fatal progress, appears on dissection to have been attended by ulceration, mercury may be presumed to have been an improper medicine; the existence of ulceration would render mercury more improper; by ulcerations, I do not mean mere spots, I mean erosions in the intestines, part of the lining of the intestines being corroded; they are different from the spots seen upon the dissection of persons who die of scurvy without any ulceration at all.

Do the Committee understand you to be of opinion, that the medical treatment was such as you yourself would not have adopted?—After the very distinct opinion I have stated in my former answers, I can only say, “Decidedly so.”

To Dr. Baird.—You have heard the evidence given by Dr. Granville; do you agree in opinion with him?—Yes, decidedly.

To Dr. Granville.—Have you any objection to state to the Committee what treatment you would adopt, if you were called upon to attend an hospital in which there was a great number of patients afflicted with a similar disease?—I have no difficulty in answering; the less, indeed, as I have been placed in such a situation in the West Indies and elsewhere, as to treat a large number of bowel complaints. I should premise, with regard to the particular remedy just mentioned, that I might or might not be tempted to give one or two doses of calomel in the outset, to clear the intestinal canal, supposing it to be in an improper condition; after which I should give farinaceous food, acidulated mixtures, and beverage; I should give oleaginous and gentle laxatives; I should keep the patients quiet; I should give opium, rhubarb, ipecacuanha, according to circumstances; if there was much pain, I would throw up injections, with starch and laudanum; and I would also
wrap

wrap the belly of the patients up in flannel, a measure which has been found to be very beneficial, particularly when the disease has been supposed to arise from change of temperature and cold; I would give the chalk mixture, where I was not afraid of producing obstruction; subdue fever, if there was any; and ultimately, when mere debility without irritation existed, give light tonics and wine, if I had the means of doing so, and a generous diet.

Are you aware whether any of those methods have been adopted in the Penitentiary?—I have asked Dr. Roget whether any other plan of treatment had been followed, in the first instance; he candidly and readily stated, that they tried the chalk mixture and lemon juice, and compound ipecacuanha powder and opium; but that they had found those particular remedies to fail. No mention was made of any other of those auxiliaries or remedies, which I have recited, as what I should do with a similar number of patients under my own care and management.

Do you think those additional remedies and auxiliaries you have particularized would have added to the force of those which had been already tried, previous to the employment of mercury, so as likely to produce a more favourable result than in fact took place upon the trial of only part?—It strikes me, from experience, that the result would have been favourable, and at all events, I cannot see, indeed I was not given any reason, why the usual mode of treating simple diarrhœa, or even simple scorbutic dysentery, as it has been stated and admitted to be, and I agree with that opinion, why I say the usual treatment, which is not peculiarly my own, but that of every practitioner, had not *been given* a fair trial to. In my former evidence, I have been like every other person who has seen scurvy, very loud in the praise of lemon juice; I have since had an opportunity of reading the evidence given of Dr. Latham, not as it were to contradict, for that can never be the intention of one medical man towards another, but in observation to my own, which evidence of Dr. Latham goes to prove, that lemon juice is not so good in scorbutic complaints, or at all events not always, as it has been represented to the Committee to be; I therefore directed my attention to that particular part of the inquiry, and I must beg to state, that the objections urged against the lemon juice by that most worthy physician, who followed me on the day I gave my evidence, were these, that it griped, whether combined or uncombined, with opium; objections which led him and Dr. Roget to omit the use of it before the disease was quite subdued. It strikes me, that the griping may be explained by this simple circumstance, that if chalk mixture, or a preparation of mercury with chalk, were given either simultaneously or so near to it as to completely destroy the effect of the lemon juice, they would produce the peculiar insoluble compound in the stomach and bowels, which they are known to form whenever they come in contact, and cause irritation of the bowels; and it strikes me, that if lemon juice had been persisted in alone, with the change of diet and exercise and more warmth, at the time that there was no doubt as to the nature of the disease being scurvy, that probably there would not have been at this moment so large a number of persons labouring under sickness. In one case to which my attention was particularly directed by Dr. Roget, I mention that case more particularly, because I am anxious to impress the Committee with this fact, that Dr. Roget was most willing and ready, and I do not doubt that Dr. Latham would have been equally so if he had been there, in giving me all the information I was desirous of. In the case of one patient, Dr. Roget admitted that there were spongy gums from scurvy, and spots on the legs (I can refer to the name of the man if necessary) that the lemon juice was administered to him, the spongy gums recovered, and there was diarrhœa; whether mercury or chalk mixture was given, does not appear, but the lemon juice began to gripe, upon which it was omitted; now, in that case, and I merely mention it because Dr. Roget and I discussed it as a specimen, as it were, of what might be said in many other cases, in that case I conceive I should have been warranted in continuing the lemon juice, notwithstanding the griping effects produced by it, always omitting the chalk mixture, or any thing like it: I would have combined opium with it, to prevent the griping, and I should have been sadly disappointed, if I had not obtained a result better than has been obtained: he is now under salivation, and has been several weeks in bed, unable to move out of bed, though it must be at the same time mentioned that he labours under a scrophulous complaint at the same time.

Be so good as to state the name of that patient?—I cannot immediately call to recollection the name.

Was it the worst man in the infirmary?—No, by no means; with the exception of the scrophulous tumour I should not say he was very ill.

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Did you see many cases which you thought dangerous in the Penitentiary?—I saw out of the limited number I examined, for I did not examine the whole 450, some who had the disease in a very active state, not in any thing like imminent danger, but that some of them might not improbably run to that stage in which the disease becomes very dangerous indeed; there was fever and great pain and pressure, and symptoms of active disease, which are very well known in those cases; among those I have seen, there are none I should expect would die, considering the state in which they were at that time. I should wish, before I conclude my evidence, to be allowed to bear testimony again to the readiness with which I was put in possession of all the information I wished, and the very high state of order and cleanliness and comfort of the Penitentiary; and I am the more anxious to state my testimony upon this subject, because, as I have observed to the Committee on a former occasion, I have examined some of the largest prisons in a very large metropolis, and this is by far the best conducted, and so far superior, that there can be scarcely any comparison between them.

You and Doctor Baird went round together?—Yes; occasionally I remained with patients while he was with others. It has been very properly suggested by Doctor Baird, that it would be proper to appear in the evidence I have this day given, that I was wholly unbiassed by any communication, arrangement or agreement with regard to what I had to state with Doctor Baird; we went round together yesterday, and having made our observations we separated, with the determination of forming our individual opinions and nothing more.

Look at these documents [*handing two letters to the witness*] and state what parts are in your hand-writing?—The lower part, from “The above statement,” to the signature of my own name.

That is to be considered as an attestation to the truth and fidelity of the statement therein contained?—Yes; this [*one of the papers handed to him*] is also in my own hand-writing, and with the distinction, which from a wrong impression going abroad, I found it necessary to make as to one word, or rather an expression; it stands as a true statement of that interview, as far as my recollection goes.

Read it?—“Dr. Granville then informed Dr. Hutchison that he was instructed by Mr. B. Wilbraham and Mr. Courtenay, to assure Dr. Hutchison, that the committee never believed the charge of ebriety made against him, to have any foundation; that they hoped for the good of the institution he would not press the public inquiry into the reports against him; that they would satisfy Mr. Hutchison as to the individuals from whom those reports emanated, who were all present on the particular night specified; and that they would depend on him for not taking any public notice of their communication, or not so resenting it as to interfere with the duties of the officers in the prison; that they then named to Dr. Granville, the chaplain, the surgeon, the matron, and a nurse of the name of Cowsey.”

This is in your own hand-writing?—Yes.

Are those words beginning with “This measure of the committee” your writing?—No, they are not; this statement was given to me, not as what had passed colloquially between the deputation and myself, but what I thought was my impression at the time, revived at the distance of twelvemonths, but subject to any explanation which any future discussion upon the subject might lead me to make.

Did Dr. Hutchison express his regret that the committee had not selected two instead of one of his friends to confer with?—He did.

Did Dr. Hutchison distinctly charge you to acquaint the members of the committee he conferred with, nothing short of giving up to him the names of those who had been examined, and had made the charge against him, would induce him to forego the public investigation he claimed, and still wished to urge?—He did.

Do you remember the conversation that took place between you and Mr. Courtenay and Mr. Wilbraham, on Sunday the 16th of June, the substance of it?—I think I can charge my memory with the whole substance of that conversation, though I cannot really answer to the words used either by myself or the two gentlemen mentioned.

Do you remember that when the two members of the committee began the conversation, they stated at once openly and without waiting for any such demand, the names of all the persons from whom they had had information?—Yes.

In the first and not corrected statement, you mention that Mr. Courtenay and Mr. Wilbraham desired you to assure Dr. Hutchison that the committee never believed the charge of ebriety made against him to have any foundation, you mean only the charge of general ebriety?—I do.

Not

Not referable to any particular day or time?—Not referable to that particular time; on that occasion the particular time was not under discussion, it was the general charge; and therefore I considered it could only apply to the general charge.

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Be good enough to state, whether any thing that passed in that conversation induced you to believe, that the charge, as far as it related to any thing respecting what was supposed to occur at the time of the death of Mary Turner, had been discovered by the two gentlemen to be false, or was meant to be retracted?—I have no hesitation in saying, that there were no words used by the two members, conveying an idea that they thought the charge to be false, or that it was meant to be retracted.

Did they not specifically and distinctly mention, that after the evidence they had from their own officers, they believed the charge to be true with respect to that particular evening?—I have really been so unfortunate in drawing up my documents which are now to be discussed, as to the charge of particular ebriety and of general conduct, I should wish it to appear distinctly that I gave the answer as to general ebriety, and now it ought to appear distinctly that I am asked whether my impression was at the time that the committee believed the charge, as far as related to Mary Turner; I will try to recollect my precise impression at the time, and it strikes me that the feeling of the two members of the committee which throughout the investigation were most friendly, was that they would give me to understand that they were unwilling to believe the charge respecting the case of Mary Turner to be well founded, and in the absence of all memoranda and documents, which I regret not to have taken at the time, I am authorized to suppose, that such my impression was correct from having referred to those particular words being used by one of the members of the deputation, in a letter to Dr. Hutchison, dated a few days before the interview; beyond that I really cannot charge my memory.

You used the word “friendly” just now; to whom did you mean to apply that “friendly”; to whom?—To myself decidedly, but Dr. Hutchison also.

Unwilling as they were to believe that report, did they not nevertheless state to you, that from the concurrent testimony of persons who could have no interest in promulgating such a report, they were afraid it was true, and that in point of fact, they could not help believing it?—If the conversation had been carried on in that precise question and answer manner in which the examination goes on now, I should probably recollect the result of it; but it appeared to me to be so much more a general conversation of persons who were met with a view of obtaining out of that interview, a result favourable to the object of the interview, that upon my honour I really cannot say whether that was their abstract opinion or not; the result, however, was such as to induce me to urge Dr. Hutchison not to go any further in the matter; not because I was afraid that his honour could not come out clear of any such charge, but because, on my honour, I did not think his honour was affected, else I should not have urged him to adopt the course which he did. There were facts mentioned to me, with regard to the very case of Mary Turner, with regard to which I was unacquainted, which would have required so much explanation, and explanation is not always satisfactory, even upon the most distinct point, that that was one of the motives which particularly induced me to agree with the committee, that the best way would be not to push the matter further, or urge inquiry.

When it was urged to you, that for the good of the institution, it was desirable that the inquiry should not be pressed, was it not constantly stated to be for the good of Dr. Hutchison as much as of the institution?—Decidedly.

Was not it stated, that the good of the institution could only be affected in this manner, that it was impossible after this charge had been brought openly, for the surgeon, the chaplain, and the matron, and Mr. Hutchison, to act together with any degree of comfort, or benefit to the establishment?—Certainly, I agree in that conclusion, as every friend of Mr. Hutchison must.

Was not the circumstance mentioned to you, about that young woman at the point of death, having a bath ordered for her, and a blister put upon her, and a strong draught given to her?—It was.

Did you not state, not with reference to Dr. Hutchison, but as an abstract principle, that if such a thing had been recommended to a patient, avowedly dying of a consumption in the opinion of the medical superintendent, whoever he might be, that that strongly confirmed the suspicion mentioned by the committee as existing in their minds?—The Committee may believe me, that it is a painful situation I am

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placed in, from my regard for both parties as it were, and in that situation I thought I was at the time; with mixed impressions as it were, it was impossible I could at the end of twelvemonths, recollect the precise words I may have used; but I perfectly recollect saying, that the two additional facts to those which I understood had attended the case of Mary Turner, namely, the blister and bath, came upon me for the first time, and considering the state in which she was declared to be at the time, startled me, and I stated, I should consider it a bad practice, abstractedly speaking; and positively I believe I am correct in stating, I declined giving any answer with reference to Mr. Hutchison; for I stated, it is possible that every one of those asserted facts may be disproved or denied by Mr. Hutchison; and therefore my answer cannot in any way apply to him.

Do you not recollect telling Mr. Wilbraham, on the day after that, at the time you gave him Mr. Hutchison's letter, that you had mentioned something on the subject of the bath; and Mr. Hutchison said, he did not recollect anything about it?—He did; and he gave me reasons for it, which, with a medical man, must have some weight; that, seeing so many patients, not only at the Penitentiary, but at two very extensive charities to which he belongs, as a colleague of mine, and in an extensive private practice, it was impossible for him, at the moment when his feelings were excited on receiving a letter of that kind, to recollect every order, prescription or instruction given in the treatment of each particular case, but he recollected the blister.

And the draught?—Yes.

In consequence of what passed that afternoon, you went to Mr. Hutchison, and procured from him a letter, which was sent to the committee?—The fact is; that, with the permission of the members of the committee, I called upon Sir Gilbert Blane, a firm and very old friend of Mr. Hutchison's, and mentioned to him, in the narrative style, without using the precise words, the impression I had then received, and have now endeavoured to communicate to the Committee, and though it was at a very late hour of the night, that gentleman most readily went with me to Mr. Hutchison, and endeavoured to impress upon his mind, the true state of the question, as we thought it then stood; and recommended him to follow the steps, and write the letter to which the question alludes. Upon that question it is proper I should state, that when we recommended the step which led to that letter, and which was to forego inquiry, Mr. Hutchison did not readily, certainly not willingly, accede to us; and the letter, as well as the adoption of our suggestion, did not take place, to the best of my recollection, till the following day.

Did not the members of the committee state also, as a reason for dissuading Doctor Hutchison from the inquiry, that as the persons who gave the information, stated, that what they said was their opinion, they would probably continue in that opinion, that no good could arise from confronting Doctor Hutchison with persons under those circumstances?—I do not pretend to say, they may not have represented that to me; but I have tried to recollect it, and at this moment I cannot.

You have stated in the second statement, that Dr. Hutchison, at all times since the interview, denied in the most solemn manner the truth of the allegation respecting the bath, which he declares to have ordered for another patient; did he state to you for what patient, or under what circumstances, it was ordered?—He certainly invariably declared to me, up to the latest period of the interview, that the bath was not ordered for Mary Turner, but for another patient in the same ward; and I believe rheumatism was mentioned as the cause.

Was any thing said about chronic diarrhœa?—Chronic rheumatism, I think it was.

Was not that said at the time at which the report was made by you to Dr. Hutchison, that such had been the accusation preferred against him by the members of the committee; namely, that he had ordered a bath for this girl dying of a consumption?—I cannot tax my memory with saying it was immediately upon my communicating the fact, because the conversation immediately turned upon the impossibility of recollecting every prescription that a medical man, in extensive practice, public and private, had given; but it was very soon after.

So near after, as to form one and the same transaction, and not to be considered as after-thought?—That is a question, as to the time, I really am not prepared to answer; it strikes me it was very near it; we had several interviews; I was anxious the thing should take the turn I thought it had taken, for the interest of all parties; I went several times, and it must have been at one of those interviews.

Do

Do you not remember that, when you brought the letter to Mr. Wilbraham, at that short interval when you were asked what was said about the bath, that you said Dr. Hutchison said he recollected nothing about it?—Yes, for the reasons he assigned, that he did not recollect prescribing the bath for that particular patient.

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Were not the words, “that he did not recollect any thing of the circumstance”?—I certainly stated to Mr. Wilbraham, that Dr. Hutchison said he recollected nothing of the circumstance; by which circumstance was intended to imply the case of Mary Turner.

Did he, at the same interview at which you first mentioned to him the bath, state that he had ordered the bath, but for another patient?—I cannot say the same interview, but very soon after.

You will not say, whether it was at that interview or the next interview; but it was soon after the communication?—It is not that I will not say; but I cannot recollect the precise time.

You will not say it was not?—No.

Do you not recollect, that on that particular evening, in the presence of Sir Gilbert Blane, when you mentioned the bath, that Dr. Hutchison was thunderstruck, and said that the bath was ordered for a woman labouring under chronic rheumatism, or chronic diarrhœa, but which he could not then recollect?—My answer to that question must be precisely of the same nature, that I cannot recollect whether it was stated on that evening or before, but as it has been mentioned that Sir Gilbert Blane was present, my want of memory may be assisted by the better one of that gentleman.

Had not nearly three weeks elapsed between the time at which the circumstance happened and the day upon which the communication was made by you to Dr. Hutchison?—That is a question which, by reference to the documents, will be answered, but I do not know the time.

Sir Gilbert Blane, Bart. further Examined.

WERE you present at the interview you have heard Dr. Granville give an account of?—Yes.

*Sir G. Blane,
Bart.*

Did you hear what passed about the bath on that occasion?—Yes.

State to the Committee what passed about the bath on that occasion?—Dr. Hutchison admitted the truth of the draught and of the blister, but when the bath was mentioned he denied it with the loudest asseverations and the strongest astonishment I ever saw depicted in the voice or countenance of any man, inasmuch as if a thousand people were to swear it I could not believe it; he said, he had an idea of ordering a bath; that he was in the habit of finding fault at the Penitentiary for their not being hot water ready at different times; that very probably he did order a bath, “but for Mary Turner, I did not and could not;” he complained most loudly that any thing of the kind had been listened to by any body.

Did he say he had ordered a bath for a patient labouring under chronic rheumatism or chronic diarrhœa?—He put it hypothetically; Dr. Hutchison had a vast deal upon his mind from private and domestic affliction at that time, and he put it hypothetically, “If I did order a bath, it must have been for one of two people whom I have lately ordered baths for, and I have found fault for there not being warm water ready; but as to Mary Turner, I swear before God, I never ordered it for her.”

That was the answer that Dr. Hutchison made, when the communication was made to him, for the first time in your presence by Dr. Granville?—It was; and upon that he renewed his obstinacy of acceding to the negotiation.

Is it your opinion, that Doctor Hutchison recollected ordering the bath for any body, or not?—I take it from his own words; he put it hypothetically, “If I ordered the bath, it must have been for one of those persons.”

You doubt his recollection, whether he ordered it or not?—I cannot state.

George P. Holford, Esq. a Member of the Committee; further Examined.

HAVE you any further information to give the Committee, upon the subject of notifying the deaths of prisoners to their friends?—I am told by the present governor, he has uniformly, when a prisoner is committed, desired to have the address of a friend, to whom he would wish his illness or death to be communicated; and in all cases of that kind, application is made to the friends, and they are permitted to visit very freely; one of those cases I happen to have found, on looking

*George P. Holford,
Esq.*

George P. Holford,
Esq.

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over the minutes of the committee, the case of the very first person that died in the prison; and it affords an instance of the degree of proper respect paid to the feelings of the friends, exhibited by the committee, which I will hand in.

[*The same was read, as follows:*]

“ At a meeting of the Committee, 29th March 1817:—The visitor reported, that in consequence of the serious illness of Ann Stubbs, which was expected to terminate in her speedy dissolution, he had permitted her sister, to attend her; and this young woman having no means of subsisting herself, he had given directions that she should be subsisted at the expense of the establishment, leaving it to the determination of the committee, whether such indulgence should be continued.”

“ Resolved,—That the allowance be continued at the discretion of the visitor for the time being.”

What paper have you in your hand?—The paper I hold in my hand is the examination of the witnesses before the committee, on the 3d of February 1817, respecting the alleged misconduct of the then matron, Mrs. Chambers; and, as I stand rather in a peculiar situation now, in the present stage of this inquiry, I hope the Committee will not think it improper that I should make a few observations upon this subject. The inquiry for which this Committee is instituted, is into the state of the Penitentiary, which of course may be reasonably supposed to embrace the conduct of those who have managed it, from its earliest commencement up to the present moment; accordingly some observations on the nature of charges have been stated against me particularly, namely, that I had encouraged tales, and that I had interfered, in an inconvenient manner, in the details of the management of the prison; this has been stated to the Committee by Mr. Morton Pitt, by Mr. Shearman, and by Mr. Thoms; in justice to my honourable friend, Mr. Morton Pitt, I beg to disconnect him from the other two persons; I understand they were not summoned here at his request, and by what accident it happened that they were here to corroborate his testimony on the particular day on which he was examined, I do not think it necessary to inquire. I mean, however, and I trust the Committee will think I am right in so doing, to show that Mr. Morton Pitt is mistaken in regard to the grounds and reasons of Mrs. Chambers's dismissal; I mean also to show, that Mr. Shearman's complaints of my having interfered too much in the prison, were preceded by many complaints on my part to the committee, of his having interfered too little, and his knowing nothing, or very little, of what passed within the walls of the prison; I also mean to show that Mr. Thoms's evidence is totally unworthy of credit; I undertake to make out these propositions to the Committee; and if I fail in doing so, I am content they shall report to the House of Commons that the Penitentiary has been mismanaged, and that I am the person who has mismanaged it. My honourable friend, Mr. Morton Pitt, has stated that he thought that I not only listened too readily to complaints, but invited complaints; I am not sure that I did not invite complaints; I certainly have been in the habit of telling prisoners, on their first entrance into the prison, that if they conceived they sustained any wrong, or if they thought they had not their rights, they might request to see the governor or the visitor, or they might speak to any member of the committee going round the prison; at the same time I have cautioned them, that if they sent for the governor or the matron upon light and frivolous pretences, they would injure themselves, as they might obtain less belief than they otherwise would do, when they had serious matter of complaint. I have also, I admit besides, frequently inquired of the prisoners whether they had any reason for complaint, particularly if I had the slightest ground whatever to suspect they had met with any ill-treatment; and I am quite confident, whatever expressions Mr. Morton Pitt may have used, which may appear to disapprove of such a practice, that he does not deliberately condemn it; but that on the contrary he must pursue the same course himself; for it would be extremely improper that any injury which might have been offered to a prisoner, should not be inquired into, in cases where a prisoner might be deterred by the fear of incurring the resentment of the officer over him from making complaints; or where, as is much more likely to be the case, he might be bribed to silence by improper indulgences.

Lunæ, 23^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Augustus Granville, M. D. called in; and further Examined.

WHEN Dr. Hutchison showed you the letter of the 7th of June from Mr. Wilbraham, did you conceive the words of that letter to convey a general charge of inebriety?—Entirely so; distinctly so; and that fact, I may be permitted to add, the very conception of that letter, induced me to give him a certificate, which Dr. Hutchison has subsequently printed; and I distinctly state again, that that certificate was signed by me most readily, because I conceive the charge was of general inebriety, and was wholly inconsistent with the almost daily opportunities I had of observing his conduct.

Dr. Granville.

(June 23.)

How long have you known him?—I have known him since 1808.

Have you been in habits of constant and familiar communication with him?—I can almost say, without exaggeration, not two days have passed within the last five or six years without my seeing him.

Have you ever dined in his company?—Yes.

What is his habit at dinner?—His habit at dinner, as far as I have observed, when I have dined with a very few persons in company, has been taking the usual quantity that gentlemen are in the habit of taking.

Temperate?—Yes; I should rather say, abstemious.

More abstemious than excessive?—Decidedly so.

Did you ever see him intoxicated?—Never.

Did you ever see him approaching to intoxication?—Never.

Did you ever see him indulge in wine at all?—Not at all beyond what I have just stated his usual habits.

Which are abstemious?—Yes.

Had you not great difficulty in inducing Dr. Hutchison to write any letter at all upon that subject?—Very great, indeed; and I can appeal to the joint testimony of Sir Gilbert Blane, whether we had not a tough battle before we could induce him to agree to let the matter drop, as the members of the committee wished it, no doubt for very excellent purposes.

What was the impression upon your mind of the motive that induced him to refuse to write any letters?—Because, notwithstanding my own personal asseverations, that I considered his honour perfectly clear of the charge, he was not so ready in agreeing with me upon that point probably, and still wished for the inquiry; but as the condition upon which the inquiry was not to be insisted upon was, in my opinion, or rather had been in my opinion, complied with, by the two members of the committee giving up the names of those who are said to have been examined as to the position of the facts respecting the particular night, of course I thought that the matter ought to rest there, and that he ought to write such a letter as Sir Gilbert Blane and I suggested.

Do you belong to any philosophical society with him; do you belong to the Medical and Chirurgical Society?—I have belonged to that society with him; but I have withdrawn my name from it lately, belonging to several others, and finding it burthensome.

Was he accustomed to take a part in the discussions of that society?—Yes; I have had the pleasure of hearing him.

Those discussions took place in the evening?—Yes.

Did he ever, on those occasions, show any mark as if he had been drinking?—Certainly not.

The expressions used in your certificate refer, of course, to the general charge of inebriety?—Yes.

And not to any thing that might have passed on a given day?—Certainly not, of course; or else I could not have made use of the strong expressions, unless I had been present on the particular occasion.

In point of fact, did you communicate any thing to Dr. Hutchison, on the evening when you and Sir Gilbert Blane went to him, but what in substance is in that statement, signed by yourself and Sir Gilbert Blane?—In substance, but subject to the various qualifications and explanations I have given in the course of my evidence.

Dr. Granville.

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The question is, whether you communicated those subsequent circumstances, that have been obtained from you by the Committee, to Dr. Hutchison at that period?—I do not comprehend that I have communicated other circumstances that I had not communicated to him; I have explained what I thought was my conversation with him, and my interview with the members of the committee.

Did you tell Dr. Hutchison, on that evening, that the deputation of the committee would still grant him the public inquiry he requested and reiterated, if he wished it?—I cannot take upon myself to say that I have done so to him; but I perfectly recollect, since it has been brought to my memory, that Mr. Wilbraham, at the conclusion of the interview, said, that if the inquiry was still insisted upon, of course Dr. Hutchison must have it; I cannot recollect having stated that matter to Dr. Hutchison.

Do you think you stated it?—I rather take upon myself as much blame as possible in this thing; and I am inclined to think I did not; for I was so very anxious that the thing should end there, merely from a conviction there was merely a misunderstanding, and no real fault on either side.

Sir Gilbert Blane, Baronet, called in; and further Examined.

*Sir G. Blane,
Bart.*

DID Dr. Granville tell you that the committee of the Penitentiary would go into the inquiry, if Dr. Hutchison wished it?—I have no recollection of that.

Do you recollect hearing him communicate it to Dr. Hutchison?—I do not recollect it.

Do you mean that he did not do it, to the best of your recollection, or that you do not recollect any thing about it?—I do not recollect any thing, affirmatively or negatively.

Do you know what were the feelings of Dr. Hutchison upon that subject, in the communications with him?—Distinctly.

Do you think, if the communication had been made to Dr. Hutchison that the committee would have granted the inquiry, that he would not have embraced it with eagerness?—Most assuredly.

Then would you have got him to write that letter if he had thought the committee would have granted him that investigation?—Certainly not; I had the utmost difficulty to persuade Dr. Hutchison in the first place to waive the investigation; I stated it to him in every point of light I could, that these gentlemen had honestly believed he had been guilty of that practice, that they most assuredly had been undeceived, or they would not have proposed such a thing to him, and therefore, as he must not resign, but still act, he should go all lengths to insure future peace and good understanding; I remained with him till two o'clock in the morning, before I could persuade him to do it, and could not succeed until I threatened to withdraw my friendship from him; that, as they had made concessions, he was bound as a christian to do it also; but being under the necessity of continuing, which he was, for having resigned, it would have been acknowledging his guilt; and being under the necessity of acting with those gentlemen, he ought to go all lengths in conciliating, I used the very expression, that he might in future act with peace and conciliation.

Have you been much in the habit of private intimacy with Dr. Hutchison?—Very much.

Have you ever dined with him?—Frequently.

Has he ever dined with you?—Many times.

What were his habits at dinner?—He never exceeded more than half a pint of wine, or a pint at most.

You would consider that person abstemious in matters of wine?—Most assuredly; one who never went the length of having his reason affected; Dr. Hutchison has also attended myself professionally at all hours.

Evening as well as morning?—Yes.

Did you understand Mr. Wilbraham's letter to refer to a particular act, or a general charge?—A general charge, for two reasons; the style was such as could apply only to a general habit; it was said it had extended considerably; the plural number is used "cases" which could not apply to a single case.

Was not there a case mentioned?—No, "cases," no particular case; it is "cases," in the plural number, and that it spread, and therefore it could only apply to a habit.

[The following paper was handed in and read:]

" N° 1803.—REPORT on the Death of MARY TURNER.

" MARY TURNER was removed to the infirmary on the 7th of January 1822. Her complaint assumed a dangerous aspect from her first admission into the infirmary, although then only a slight cough, with pain in her side. Dr. Hutchison saw her a day or two after her admission, and I believe always thought her consumptive. She died May 19, about 8 o'clock in the evening. The coroner sat May 21. Verdict—" Visitation of God." There was no observation made by the coroner or jury."

" The above Report, without a signature, announces the death of the same little girl whose case I had the honour to state to the committee, about two months ago, as one likely to be benefitted by a change of air. She certainly died of consumption, after every care and attention had been shown to her by the surgeon and nurses.

" A. C. Hutchison, Medical Superintendent."

Mr. John Pratt, called in; and further Examined.

YOU were present on the death of Mary Turner?—I was.

Will you state the circumstances attending Mary Turner's death, as accurately as you can from recollection?—Mary Turner, on the 17th of May 1822, was reported to the committee as consumptive, and not likely to last long.

By whom?—By myself in the Journal; on the 19th of May, between seven and eight o'clock in the evening, Dr. Hutchison came to visit the infirmaries, and he and myself went immediately into the room where Mary Turner lay, I then represented to Dr. Hutchison, that she was dying.

Who were present?—Three or four of the prisoners and Mrs. Cowsey the nurse; Dr. Hutchison examined her, and he advised me immediately to get a blister and a cardiac mixture, and æther and a blister to apply to the stomach; at the same time Dr. Hutchison desired a warm bath to be prepared for the purpose of putting her in.

Putting her in?—Yes, putting her in.

You are sure it was Mary Turner he meant?—Yes, certain of it.

Was that done?—I left immediately to prepare the blister and the medicine, which I returned with directly; when I returned, Mr. Bennett, the chaplain, was at prayers, and the matron was in the room.

What prayers did Mr. Bennett read?—I cannot state that, I saw him at prayers.

You do not know whether they were prayers for the visitation of the sick?—No, I do not; I believe they were the prayers that he generally reads to those thought dying; Dr. Hutchison wished the blister to be divided into two, which was done, and Dr. Hutchison gave her a portion of the mixture; we then went into the male infirmary, N° 2, where we were not long, and on our return we were informed she was dead.

Do you know why the bath was not given?—I believe it was by Dr. Hutchison's request; in fact there was no steam on at that time, and therefore the bath could not be procured immediately, but he desired the nurses to get the kettles boiled.

Was that given before you left the first time, or after you came out?—It was given before I left.

Was there any thing in Doctor Hutchison's behaviour that led you to conclude he was less in self-possession than usual?—I thought so from his prescribing a warm bath, as much as any thing.

Was there any thing in his manner?—A degree of irritation, that led me to suppose he certainly was the worse for some excess.

Did you communicate that to any person in authority in the Penitentiary?—I communicated it to Mr. Courtenay.

Did you advise with any body before you did so?—I mentioned it to Mr. Bennett, and he thought I had better consult some medical friend; I certainly had some conversation with my son; Mr. Bennett declined giving any opinion upon the case.

Do you mean consulting with a medical friend upon Dr. Hutchison's apparent want of self-possession?—No; whether I should mention it.

What do you mean by consulting any medical friend?—To know whether I should give Mr. Courtenay any information of it.

Did any thing more pass between you and Mr. Bennett upon the subject?—No, I believe not.

Was any body else present?—No.

You spoke to your son?—Yes.

Who is a medical man?—Yes.

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Did you advise with any body else?—No.

State, as nearly as you can, the conversation with Mr. Courtenay?—I mentioned the circumstance to him that had occurred, and I stated it as my opinion that Dr. Hutchison was the worse for some excess.

Did you found that opinion upon the fact of a bath being ordered for a person you thought it not proper for, or from something in his manner or behaviour?—There was certainly a degree of irritability about Dr. Hutchison's behaviour, and I did not think he would otherwise have ordered that warm bath.

Are you quite clear that Dr. Hutchison might not have ordered that for any other patient?—I am certain of it.

Were there any other patients in the infirmary for whom such a bath would have been proper?—In my opinion not.

What was the state of Mary Turner at eight o'clock that evening?—When I saw her with Dr. Hutchison that evening she was certainly dying.

What symptoms were there?—Languor, constant sinking of her pulse.

Had any communications been made to Mr. Bennett to come and pray by her?—I believe there had been.

Do you know whether he had been sent for before Dr. Hutchison came?—I believe he had.

Now you state that Dr. Hutchison was in a state of irritability, and therefore you conclude that he had indulged in excess; what symptoms of irritability did he show?—A degree of agitation, I thought.

Do you conclude, when you see any body in a state of irritability and agitation, that they are in liquor?—Certainly, not always.

Do you think no other cause but liquor can excite irritation of manner?—Certainly not.

Do you think domestic misfortunes might excite irritation?—Certainly, they might.

Was there any thing in his manner that peculiarly marked it to be the result of intoxication?—That was what struck me at the moment merely.

Did he stagger?—Not to my knowledge.

Describe what you mean by irritability of manner?—It appeared to me that he ordered it at that time when the girl was in the agonies of death; if he had not been in that state he would certainly not have ordered as he did.

You mean to say, that Dr. Hutchison had lost his presence of mind, and that it might have proceeded from one cause as well as another?—Certainly it might; but there was a certain something that struck me, it must be the effects of liquor.

What do you mean by its striking you as the effects of liquor?—I can hardly describe it.

Have you ever seen any person tipsy?—Yes.

Were there, in your opinion, the signs of a person being drunk?—When a person is a little affected the signs are not very strong, which I think was the case of Dr. Hutchison, merely a little excess.

What were the signs, have the goodness to state them, besides the bath and the blister, which you did not approve of, and the cardiac mixture which you seem to condemn; what were the signs besides those that made you believe he had been guilty of some excess?—There were only those things, and a degree of irritation.

Have you ever seen him in a state of irritation in the morning?—Certainly not.

Is he always the same placid person he is now?—I never saw him so irritated.

Never saw him so in the morning?—Only when vexed.

What was the difference between him?—I never noticed so much irritability in the morning as in the evening.

Do you mean to say that generally?—Yes, I mean to say that generally.

How long is it since you have observed it?—I observed that several times.

Did you ever communicate it to any body?—No, I did not.

Were you upon good terms with Dr. Hutchison?—I believe, very good terms.

Did you consider Dr. Hutchison to be your friend?—Certainly.

When you saw Mr. Bennett, what passed in conversation between you and him?—I really cannot exactly say what passed; but I mentioned to him a certain degree of irritation I had observed about Dr. Hutchison.

How soon after the 19th did you speak to Mr. Bennett about it?—The same evening, I think; or, at furthest, the next day.

What

What did Mr. Bennett say to you?—He said very little upon the matter; but advised me to consult some medical friend or friends.

Mr. J. Pratt.

You have stated, there was no person in the infirmary to whom the bath would be a proper application?—Certainly not.

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Have you a list of the persons ill in the infirmary at that time?—I have.

Is there an account of all the diseases?—Yes, there is.

[*The same was handed in.*]

Was there any person in the infirmary that day ill of chronic rheumatism?—Yes, there was.

What was her name?—Ann Shorter.

Is she in that list?—Yes, she is.

Will you take it upon yourself to say, the bath was not ordered for that woman?—I will.

Of that you are sure?—Yes.

Did Dr. Hutchison take any notice of that woman that evening?—Not to my knowledge.

Were you with him the whole time?—No, I went out to prepare the medicine; I left him then on Mrs. Cowsey's side, which was the side where Mary Turner was.

You have stated, that Dr. Hutchison was occasionally irritable of an evening; and you have also stated, you have never communicated it to any one?—No, certainly not.

How long ago did you make that remark, as to his evening irritabilities?—I cannot recollect exactly the period; some considerable time before.

What time should you say?—Perhaps two years before.

Do you remember Dr. Hutchison, in the presence of Mr. Courtenay, giving you an official letter to sign, and which you were going to sign without reading?—It might be so.

Did Dr. Hutchison make any remarks to you upon that subject?—I do not recollect.

Do you remember any thing of saying, upon Mr. Courtenay's asking you the question, that you would sign any thing he wrote?—I cannot recollect that.

Will you say you did not?—I cannot.

Do you recollect Mr. Courtenay's asking you, whether you would say any thing he said?—I cannot recollect that.

And that you did not answer, yes; that you would sign any thing he wrote, and say any thing he said?—I cannot recollect any thing of the kind.

Will you take upon you to say you did not say that?—I certainly will.

How long have you been surgeon at the Penitentiary?—Seven years.

You and Dr. Hutchison had acted together during all that period?—Yes.

Where did you reside before?—At Kennington.

Did you carry on the business of surgeon there?—I did.

Was Dr. Hutchison sent for on the evening in question, or did he come in the discharge of his official duties?—I think he came in the discharge of his duty; I do not recollect sending for him.

Was Mary Turner the first patient he saw that evening?—I believe she was.

Upon coming into the ward to her, what did he do, did he examine her?—Yes, he felt her pulse, and examined her particularly.

Who was present besides yourself and Mrs. Cowsey?—Three or four prisoners.

Can you give us their names?—Jane Beaumont, Rosina Pennington, and Sarah Mitchell.

Was the chaplain in the room in the first instance?—I think he was.

After examining the patient and feeling her pulse, Dr. Hutchison proceeded to prescribe in the manner you have mentioned?—Yes.

The mixture and blister and bath?—Yes.

Did he prescribe for her in the room where she was, in the ward?—I think he did.

Are you certain of that fact?—I think I am.

Then you went away to prepare the medicine, and returned very shortly and found the chaplain in the act of reading prayers?—I did.

Did Dr. Hutchison kneel down and join in the prayers?—He did.

What circumstance first induced you to think there was a degree of irritation about him, what was the first circumstance?—I cannot call it to my memory, but

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it struck me at the time, from the impropriety of ordering a warm bath, and for the blister and medicine; that was all.

You did not agree with him in opinion?—Certainly I did not.

Previously to this time, had you and Dr. Hutchison been upon perfectly friendly terms?—Very good terms, and after that time.

Can you tell me, whether Mary Turner had ever been in a warm bath before?—I do not recollect that.

You thought Dr. Hutchison's conduct so improper in the course of the evening, it was your duty, as a public officer, to make a charge against him?—I did.

The Committee presume you made that charge the next morning?—No, not for two or three days after.

The Committee understand you to say, you mentioned it to Mr. Bennett the same evening?—I talked it over to him the same evening, or the next morning.

In point of fact, when did you make the charge to Mr. Courtenay, the visitor?—

I think three days afterwards, upon Mr. Courtenay's coming to the Penitentiary.

Was that the first visit?—I believe it was.

Are you certain of it?—I think I am.

You are quite certain this bath was not ordered for any other patient whatever?

—That I am certain of.

You have stated, that Dr. Hutchison was exceedingly agitated during his examination of Mary Turner; did you, as a professional man, never feel agitated when advising for a dying patient?—Not to my knowledge.

Do persons under such a melancholy affliction as consumption, die suddenly at any time, go off at once without the medical adviser being prepared for such an event?—I think not.

You never saw it?—No.

You have criticised the blister and the cardiac mixture, as well as the warm bath; do you mean, as a professional man, to say, that being called upon to attend a patient under circumstances such as those of Mary Turner, that no application, in your opinion, could be administered to relieve her?—Certainly, I do.

What would you have advised under such circumstances?—Nothing at all; I would have only advised her to be kept quiet.

Is it usual for a medical practitioner to leave a patient without any hope of recovery?—When death was so near, I should think no medical practitioner would advise any kind of remedy.

Do you mean that the patient was past any feeling of sense or mind?—She was nearly in an insensible state.

Then the Committee are to understand, you would, under such circumstances, leave the patient to die without any attempt upon your part to prolong life?—Certainly I should.

Had you any suspicions, by any former conduct of Dr. Hutchison during the seven years you have known him, that he was in a state after dinner unfit to prescribe for any patient under difficult circumstances?—I certainly had.

When you stated that you were advised by Mr. Bennett to consult a medical friend, which friend appeared to be your own son, was that for the purpose of obtaining advice upon symptoms of inebriety?—No, it was not; it was for the purpose of whether I should inform Mr. Courtenay of what took place that night.

Do you consider, as a professional man, a warm bath a good thing for chronic rheumatism?—Certainly, I do.

Then did you ask Dr. Hutchison, if the warm bath was meant for Mary Turner?—Dr. Hutchinson and I had not seen the chronic rheumatism case that night, we only saw Mary Turner when it was ordered.

Do you believe that Dr. Hutchison did not know of the case of chronic rheumatism in that ward?—It was not in that ward; but in another part of the infirmary.

Was this woman suddenly seized with it?—A chronic rheumatism is what has existed for some time.

Why are you sure this bath was not intended for the chronic case?—He had not seen that case that evening.

You still doubt whether Dr. Hutchison might not have known of that patient?—He knew it from his previous visits.

By whom were you recommended to the Penitentiary?—By the late Earl Rothes and the Honourable William Lamb, to the committee.

The committee generally, or any particular member?—The committee generally, and by Mr. Tidd.

By

By letter?—Yes; letter and a certificate from Dr. Babington and Sir Astley Cooper.

Do you ever remember during the time you and Dr. Hutchison were together in the Penitentiary, did he ever before make a medical mistake?—Not to my knowledge.

Why were you so long in making this known to Mr. Courtenay, after consulting your son, the medical adviser?—I did not see my son until the day after, nor Mr. Courtenay till three days after; it was upon his coming to the Penitentiary I informed him.

Was he the visitor at that time?—Yes, he was.

That was the first time you saw Mr. Courtenay after the occurrence?—Yes.

Did Dr. Hutchison ever attend you or any of your family as a professional man?—Not to my knowledge; I might have asked him a question concerning some of my family.

Did not some conversation pass between you and Dr. Hutchison, before your saying to him, that the patient was *in articulo mortis*?—I said that.

What answer did he make to that?—I do not know.

You do not know whether he had the same opinion?—No.

How long is a blister before it takes effect?—Four or five hours.

The Committee understand you mentioned it with tears to Mr. Courtenay; you were so agitated at the time?—I was very much agitated.

And shed tears?—I certainly did, I was very much agitated at the time, and had been for several days.

You mentioned it to consult him what ought to be done?—Yes, I certainly did.

Ann Shorter, who was the rheumatic patient, was on Mrs. Barnacle's side?—She was.

And not where this woman was?—No.

Had Dr. Hutchison at that time seen Ann Shorter?—He had not.

Did he give directions about the warm bath to Mrs. Cowsey or Mrs. Barnacle?—I believe to Mrs. Cowsey.

What was the effect produced upon the women who attended the patients by the order given?—They were very much surprized at it.

Did they say any thing?—Not to me; I did not hear it.

Were you known to any members of the committee before you were appointed?—I was not.

Have you any reason to believe, that any personal interest was made for you by any members of the committee?—I have not.

Was it you who told Dr. Hutchison, that the patient Mary Turner was *in articulo mortis*, or was it Dr. Hutchison who told you?—It was me who told Dr. Hutchison.

Did you use that particular expression, *in articulo mortis*?—I did.

Did you or Dr. Hutchison administer the draught?—Dr. Hutchison.

Did he raise the patient up in the bed?—I do not know.

Did he give it her when lying down, or did he assist in raising her up?—He gave it her, and she might have been raised by him a little.

You have stated, that this is the first instance in which you have known Dr. Hutchison make a medical mistake?—It certainly is.

And you have stated also, that you have often seen him unfit to do his duty in the evening?—I have two or three times seen him in a state that struck me.

Struck you what?—That he had been drinking too much liquor.

Was he at those periods in the same state of irritability?—Yes, somewhat similar.

But on the other nights he never prescribed wrong?—Certainly.

It was only this night that his irritability led him to prescribe the things you condemn?—Yes.

And prescribing those three things, you considered proof that his reason was not so good as in the morning?—Certainly.

You never reported to any visitor before, that he was in that condition?—I did not.

You never consulted the chaplain before?—No.

When you made this charge, did you tell Mr. Courtenay, you had frequently seen Dr. Hutchison in that state?—Not to my knowledge.

You confined yourself to that particular case?—Yes.

That was the only complaint you made?—Yes; when I say frequently, it was two or three times.

You did not communicate it two or three times to any body?—No.

Did Mary Turner complain of a pain in her breast, so as to indicate pain at the time of giving the medicine?—I do not know.

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Where were you standing?—Near the door; I went out immediately upon Dr. Hutchison's prescribing the blister; I prepared it, and I then brought it in.

Should you not consider it a neglect of duty, if the medical superintendent advised one thing which you thought so extremely wrong, not to reason with him upon the subject, instead of what would be called in common parlance, walking off?—No; he wished it to be done immediately, and I went immediately and did it.

If the patient was so far gone as to be insensible, where was the use of reading prayers?—I do not know.

Could she speak?—Very little; barely articulating; she was dead in ten minutes afterwards.

Did Dr. Hutchison order the warm bath before he saw Mary Turner?—No, he did not.

He was in the room with Mary Turner when he ordered it?—Yes.

That was before you went out to prepare the medicine and the blister?—Yes; when that order was given I went out immediately.

Were there any other patients in the room?—Four patients and the nurse.

It could not be to any one of those patients that the bath could apply?—No.

Was the bath given to any body?—No.

Was the bath prepared?—It was not; Dr. Hutchison forbid it afterwards.

The kettles were put on?—I believe they were.

Do you know that of your own knowledge?—No.

Did you ever know that medicine that Dr. Hutchison ordered, given to a patient in consumption?—No.

What effect did it produce?—She could not swallow it.

How soon did she die afterwards?—In less than ten minutes.

Do you mean to say that that medicine, in your opinion, hastened her death?—She certainly appeared to me, at that time, to have been dying the whole day.

Do you mean to say you thought that medicine hastened her death?—No, I do not mean to say that; I thought it improper to give medicine of any kind.

Had Dr. Hutchison seen Mary Turner that morning?—He had not.

Did you consider her dying in the morning?—I did.

How came Dr. Hutchison not to be sent for?—It was the day that he generally visited the patients, and was therefore expected to call.

Did he come in the evening without being sent for?—Yes, he did.

Do you know whether there was any body who walked down to the Penitentiary with him?—Not to my knowledge.

Did you not state to Mr. Courtenay, that Dr. Hutchison ordered the bath for Mary Turner after he had said she was *in articulo mortis*?—No; I told him that was my observation.

That was previous to his examining her?—Yes; upon his going into the room.

You were present when the bath was ordered?—I just heard the words given for the bath being ordered.

There were no words expressing who it was for?—Except for Mary Turner.

Did you hear any such words?—I took him to that patient immediately; upon which he gave an order for the medicine and the warm bath.

He afterwards, you say, gave an order that the bath should not be administered?—He did.

Should you consider it improper, as well as useless, to give any medicine?—I did.

What would have been the effect of the warm bath upon a patient labouring under that complaint?—I should think she would have died immediately upon being immersed in the water.

Did Dr. Hutchison contradict the order in consequence of there being no water convenient?—I cannot say.

How recently had you examined Mary Turner before Dr. Hutchison came, to enable you to form an opinion that she was *in articulo mortis*?—I had seen her two or three times.

Had you examined the extremities?—Not to my knowledge.

What is the first symptom, generally speaking, of a patient being *in articulo mortis*?—A sinking and coldness in the extremities.

Particularly the feet?—Yes.

If you had not had so frequent opportunities of seeing her *in articulo mortis*, but suddenly called in as Dr. Hutchison was, might you not think that some administration of medicine might prolong her life, or relieve her in the agonies of death?—

No,

No, certainly not, and Dr. Hutchison had seen her from her first coming up into the infirmary.

But he had not seen her for two days before?—No.

Had you not before this period, complained to the committee in writing or verbally, or both, of Dr. Hutchison's interfering too much in your department as you thought?—I do not believe I ever made a complaint to that effect.

In 1818, did you not make that complaint to the committee?—Not to my recollection.

Do you know that there was a woman of the name of Cinderberry, extremely ill in the infirmary at that time?—Yes.

Did she recover?—I cannot recollect.

Was she much emaciated?—She was.

Did you not say, you never saw a person so near death, recover in your life?—Yes, I did.

Do you recollect that there was recently in the infirmary for many months, a poor young man of the name of Scavering, or something like that, labouring under consumption?—Yes, I do.

Do you recollect the great state of debility and emaciation to which that man was reduced?—I do.

Do you recollect, that that man expectorated great quantities of matter coloured with blood?—I do.

Do you recollect, that this man was so much reduced, that it was necessary to move him from the bed to the close-stool?—I do.

Do you recollect saying to the medical superintendent, that you never saw a person in your life, or could have contemplated the idea of a person so reduced with his disease, afterwards recovering?—I do.

Do you mean to say, you have never seen or heard of an instance of a person dying suddenly, labouring under a consumption, from the bursting of a vomica or abscess of the lungs?—I have seen it.

Do not you recollect yourself having in your medical reports of convicts dying in the infirmary, stated that as the probable cause of the death?—Yes, certainly I have.

Do you recollect, that in addition to those you have named as being in the ward with Mary Turner on the evening of the 19th, that there was the chaplain, the matron, and the nurse Cowsey?—I do recollect that they were in the ward.

Do you recollect, when Dr. Hutchison had examined the patients who lay on the left hand side of the door, entering the ward, his examining Mary Turner, and taking you by the arm outside the ward into the passage, and prescribing for her the draught alluded to and the blister, and that in a low tone of voice, in a whisper?—No, I certainly do not recollect that.

Was not Dr. Hutchison in the habit of speaking in a low tone of voice to the patients under those circumstances?—Certainly.

Do you recollect saying, when Dr. Hutchison gave you your directions, you would give the medicine after you had gone round the other wards?—I do not recollect that.

Do you mean to say, you do not recollect that the medical superintendent said "No, you must fetch it now," and that he would wait and see her take it?—I recollect Dr. Hutchison saying, it must be administered immediately, and I went and prepared it, and brought it.

Do you mean to say, that did not take place?—Not to the best of my recollection.

Do you recollect, that you halted a second or two at the door with the medicine in your hand, before Dr. Hutchison got up from being on his knees at prayers?—I certainly did,

Do you not positively recollect Dr. Hutchison standing on the right hand side of the bed, next the door, and raising up the patient and supporting her back and head with his left hand and arm, and exhibited the draught with his right hand?—I cannot say I do.

Do you recollect, that Dr. Hutchison was in the habit of taking oranges in his pocket to this poor girl?—I believe he did.

Do you mean to say, there was no person in that ward for whom a bath might be considered necessary?—Certainly not.

Upon what do you found that judgment?—Upon the number of patients in the room.

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Mr. J. Pratt.

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What were the diseases under which they were labouring?—There was Elizabeth Collison, and Mary Turner, and Sarah Mitchell, I believe that was all.

Was not there a fourth patient in the ward?—I believe not.

Is it not a very common circumstance, that a person admitted into the infirmary with one disease, before being removed, being attacked with another?—That has certainly occurred.

Frequently?—Yes.

May not it have been possible, although there may be no disease against the name of the individual here in that ward for which a bath might be necessary, that such might have been the case in this instance?—Certainly it was not.

Upon what do you give so decided an opinion?—Upon the ground of the cases that were there; Elizabeth Collison was consumptive, Mary Turner was consumptive, Sarah Mitchell was an inflammation of the bowels.

Had she not an inflammation of the liver?—Not to my knowledge.

Did she not become dropsical?—She did.

Is it usual to prescribe a warm bath for a person labouring under chronic or acute inflammation of the liver, or diseases of the abdomen?—Certainly it is.

Is there not a possibility that the bath may have been ordered for this woman?—Certainly it was not.

Not a possibility of it?—Not in my mind; I can positively say the bath was ordered for Mary Turner.

Were not you in the act of going out of the ward when the order was given for the warm bath?—I might be just at the door at the time the order was given.

Should you say positively, that before your going out of the door that the bath was ordered for that individual patient?—I will say so; that the bath was ordered for Mary Turner.

You have said, that on going out of the door you heard the words “warm bath” accidentally?—I heard the order given for it being prepared.

But you did not hear the name of the person?—Dr. Hutchinson’s attention was called to that person.

You have said, you heard the words “warm bath” just as you were going out of the door?—Yes, as I was going to the door.

Was it an usual thing for Dr. Hutchison to go into the ward to see a particular patient, and not ask the others how they were?—Dr. Hutchison’s attention was called to that particular patient.

When Dr. Hutchison has been sent for by you to visit a patient in the infirmary, has he not visited the other patients?—Certainly.

Did you ever know an instance of hemorrhage upon the lungs stopped by a steam bath?—No, not to my knowledge.

You never did?—No, I never did.

Did you ever know the pulse brought down from 120 to 90, by the vapour bath?—No, I did not.

Is there a vapour bath in the Penitentiary?—No, there is not.

Did Sarah Mitchell become dropsical after the time you have been speaking of, or was it before?—After the time, to the best of my recollection; but I cannot say positively.

Will you inform the Committee, why in your journal of the circumstances of that case that evening, it does not appear that the bath was inserted in the journal; but only the medicine prescribed for that girl?—Certainly it was not inserted in the day-book, but the medicine prescribed was; nor has, I believe, the word “bath” been inserted at any time, because the order was given upon the spot where the bath could be procured.

Is the blister in the day book?—Yes it is, and the mixture.

But the bath not?—No.

Is it customary to insert the bath?—No.

Is it customary to insert the prescriptions not carried into effect?—Certainly not.

Was the blister applied?—I believe it was cut in half, and part of it applied.

You say she died while the mixture was being administered?—It was a minute or two afterwards.

Was any particular haste shown in ordering the bath?—There was.

Was any observation made in consequence of the bath not being ready?—Not to my knowledge.

The *Rev. Samuel Bennett*, called in ; and Examined.

YOU are chaplain to the Penitentiary?—Yes.

Do you recollect the death of Mary Turner?—I do.

Were you in the room at the time she died?—I was.

Were you there before Dr. Hutchison and Mr. Pratt came in, or did you come in afterwards?—When I was sent for to Mary Turner in the evening, Dr. Hutchison was in the nurse's room, we both met together ; I believe he was in the room at the time.

Did you make any observation to Dr. Hutchison, or Dr. Hutchison to you?—Mrs. Cowsey, one of the nurses was there, and she said she was very ill, and he ordered her to be put into a bath.

Was any thing said by Mr. Pratt to Dr. Hutchison, or by Dr. Hutchison to Mr. Pratt, about her being *in articulo mortis*?—I do not recollect.

Did you hear Dr. Hutchison desire she should be put into a bath?—I did ; when he ordered her to be put into the bath, and the answer was from the nurse, the steam was off, and they could not get the water.

Did you make any observation upon that at the time?—No ; Dr. Hutchison desired the nurses to put on kettles ; I then said, if that is the case she may come out of the bath exhausted, I will go and read to her first, which I did, and Dr. Hutchison followed me into the room.

Where was Dr. Hutchison at the time the order was given?—In Mrs. Cowsey's room.

Did you go into the room where the sick woman was?—I believe Dr. Hutchison followed me immediately, for when I got up from reading prayers, Dr. Hutchison was in the room, and I think, to the best of my recollection, he went in with me when I had read prayers ; Dr. Hutchison countermanded the bath and ordered a blister and some medicine, the blister was cut in two, he said she was not to go into the bath.

Dr. Hutchison attended the prayers?—Yes, I believe he was there when I finished reading, and I presume he was the whole time, but I was with my back to him.

Are you sure in what room Dr. Hutchison was, at the time the bath was ordered?—In Mrs. Cowsey's room.

Not in the room with the prisoners?—No.

Had he seen the prisoners?—That I cannot tell.

Was any remonstrance made by any body against the bath?—The nurse said she was very ill, she thought her dying, that I recollect.

Did Mr. Pratt ever consult you, as to the course to be pursued on that evening?—He did not that evening.

Did he not consult you that evening?—No, it might be one, two, or three days afterwards ; I was sitting in my study one morning, and Mrs. Bennett happened to be with me ; Mr. Pratt came into my room, and he said, I have to apologize for coming in ; that I suppose he said merely from seeing Mrs. Bennett there, because it is unusual to find her there ; he said, I am not satisfied with Dr. Hutchison's conduct, he has been in the habit, more than once or twice, or oftener, of coming to the Penitentiary of an evening in a state of intoxication ; I came to consult you in what way I should prefer a charge against him, alluding to his coming in that state. I replied, Doctor Hutchison is a friend of mine ; but if I had a clergyman assisting me at the Penitentiary, whose conduct I did not approve of, I should either speak to him myself, or request some clerical friend to speak to him, but I should certainly not go to a medical gentleman for advice how I was to proceed with my clerical assistant, therefore, if you are in any difficulty, or dissatisfied with Dr. Hutchison's conduct, you have a son, a medical man, consult him or your medical friends, for I shall give no opinion whatever upon the subject ; upon that Mr. Pratt left me.

Did he state to you, that any part of the charge he wished to make related to Mary Turner?—Yes, he spoke of it that night particularly ; he then said, you must have observed, on Sunday night, that Dr. Hutchison was intoxicated ; I said I did not ; nothing led me to suppose that Dr. Hutchison came in that state ; I did not make any observation upon it ; my whole thoughts were employed towards the child dying ; I thought Dr. Hutchison displayed a good deal of irritability of temper, and he was agitated ; I had seen Dr. Hutchison afterwards, and he had spoken before to me of the law-suit he had with his sister ; he had talked of very little else ;

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he seemed dejected and out of spirits, and he gave his orders out perhaps in a way they did not like.

Was the word made use of, that Dr. Hutchison was very odd, that night?—I certainly think he was odd; he appeared irritated.

Was that the expression made use of to Mr. Pratt from you?—It might be, certainly, because I observed it; I thought he was unwell, in fact, from what he had said before of his losses.

You did not think it arose from intoxication?—I had no reason to think so.

Have you often seen Dr. Hutchison of an evening?—I believe he hardly ever came without calling upon me.

Did you ever see him in a state approaching to intoxication?—Certainly not; I attributed it to a very different cause.

To what cause?—Family concerns.

Did Dr. Hutchison ever attend you or your family as a medical man?—Yes.

Had you confidence in his skill as a medical practitioner?—Certainly; he never offered his services to me gratuitously.

During the whole time that Dr. Hutchison attended as a medical person at the Penitentiary, did you conceive he conducted himself with kindness and propriety towards his patients?—I have no reason to suppose otherwise; I never heard of any complaint.

You never heard of any complaint among the prisoners?—A little time ago there was a prisoner died, of the name of Brenton; they were in a state of mutiny at the time; they then complained of Dr. Hutchison and Mr. Pratt; I should mention that one of the nurses said, she wished Dr. Hutchison would come of a morning instead of the evening, which led my attention to him.

Who was that?—Either Mrs. Barnacle or Mrs. Cowsey.

Have you ever heard any of the prisoners intimate an opinion, that Dr. Hutchison did not come in a proper state in the evening?—Yes; one of the nurses told me, that one of the prisoners had told her so, and I sent for the woman and reproved her for it, and they brought the wrong woman to me.

Was not it a spreading report in the prison?—Yes, it was, after what had passed on the night of Mary Turner's death.

Did Mary Turner ever desire herself any spiritual consolation from you?—Yes.

Herself?—Yes; I had been in the habit of seeing her every day; may I refer to an extract from my journal.

Certainly?—She was some time in the infirmary; but I have on the 18th of May, ten o'clock at night, Mary Turner dangerously ill in the infirmary; May 19th, visited this morning Mary Turner, seriously ill (that is, a Sunday morning.) I recollect, after I came out of the chapel meeting with Mr. Pratt, and going with him between the services; that I did not enter, but at night, when she died, I made this entry: "Mary Turner died this evening in the infirmary, at five minutes before eight o'clock;" I had visited her several times in the course of the day, and was with her when she died; she was about fourteen years of age, and had never a report against her during her confinement in the ward of the prison; I had seldom met with so young a person who bore a severe affliction with so much resignation and patience.

Do you know what her sentence was?—Death.

She actually at that period desired spiritual consolation at your hands?—Yes; she begged me, when I left her to go to the chapel in the evening, to come and see her again. It was very natural she should send to me, as I was the cause of her going there, and was known to her friends.

She was not in a state of insensibility when you read prayers?—Certainly not; I was with her when she died, and she was perfectly sensible, and spoke shortly before.

Did she send for you at the period you came into the room?—When I am sent for in the night, I always put it down; therefore, when she became dangerously ill at ten o'clock, I went, at her particular request, early in the morning; and went to her again, and she desired me to come again.

Did she desire you to go at the time you did go?—I promised I would go to her, and I did go to her; and it was the last visit that night.

She was perfectly sensible?—Perfectly so.

Did she speak in a low tone of voice?—She spoke plain; she appeared quite exhausted; she died in a moment, when talking to me. Dr. Hutchison said she might live a short time.

You

You have said, in your opinion, the agitation or irritation of Dr. Hutchison was brought about by family disappointments, and that he appeared to be in a state of dejection?—Yes.

Does inebriety, in your opinion, produce low spirits?—I have seen people affected in different ways; I have seen men very boisterous, and some I have seen cry.

It has been stated by you, that the news got round the prison among the females, of Dr. Hutchison being generally in a state, in an evening, of inebriety; are prisoners generally prone to believe what they are told?—Of course they would be.

Whether true or false?—Yes, I should think anything of that sort that was said, as a sort of thing that would spread right or wrong through the whole building.

Had you a conversation or otherwise made a charge, or said you had reason to believe Dr. Hutchison was occasionally in a state of inebriety when he came to the prison?—No, certainly not; I thought him labouring under mental irritability, and I had thought so some days before, when the nurse made that remark, that she wished Dr. Hutchison would come in the morning instead of the evening. I should not have taken any notice about the ordering of the bath, but when she said that, I thought he had come in a state of irritability, and might be out of humour with any body.

In consequence of that remark of the nurse, did you observe any thing in Dr. Hutchison's manner that would lead you to think she was warranted in the remark?—I thought him out of temper; I walked with him up to the gate, and he always spoke of the loss he had sustained by his sister; it was a circumstance that seemed to prey upon his mind.

Was there any thing that could lead you to believe he was intoxicated?—I never supposed he was.

You did not see any thing in his manner?—No; I had been told what he had lost by his sister; that it was four hundred pounds.

Did not Dr. Hutchison join in the prayers, and kneel down?—The nurse told me he did; I asked her.

Did you see him?—I think he followed me into the room; and he was there, when I had done reading.

He was not opposite to you?—No, he was not.

You have stated, that it was in Mrs. Cowsey's room the bath was ordered; you were not present when Dr. Hutchison and Mr. Pratt first met in the prison?—I cannot say whether Mr. Pratt came in afterwards or before.

Therefore, something may have passed between Mr. Pratt and Dr. Hutchison, which you did not hear?—Yes, and after Dr. Hutchison left the room; when he ordered the blister, the blister was put on, and the medicine was given; the little girl remained talking to me, and she went off; when he came into the room, I told him she was dead; he turned rather pale, and said, "Is she!" I cannot say what other people's feelings were; I felt hurt myself.

Before Mary Turner's death, was it possible for Mr. Pratt to have any conversation with Dr. Hutchison without your knowledge?—That I cannot say.

You were not present during the whole time?—No; I came out of the chapel late; and after I had got some refreshment, I went there.

If the Committee understand you, the order was given in Mrs. Cowsey's room?—Yes.

Had he seen the patient?—I think he had.

Was Mr. Pratt there?—Yes.

Did you hear Dr. Hutchison order the bath in the sick room?—It was in the nurse's room, adjoining.

You say, the bath and blister and the medicine were ordered together?—No, certainly not; that I cannot answer, for I only heard the bath ordered at the first; and I remember the nurse brought a large blister, and a small one which was cut; that was after the bath was countermanded.

Who gave her the medicine?—The nurse, I think.

Administered it?—I think Dr. Hutchison had it in his hand; who gave it, I do not know; Mr. Pratt mixed it up; I think Dr. Hutchison gave it to the nurse at the moment, and put it into the nurse's hands.

Did you see Dr. Hutchison raise her up in the bed?—That brings some circumstances to my mind; it must have been before I went in, because the nurse complained he was rough with her, and lifted her up.

Did he support her while she took the medicine?—That I cannot say; he was standing over the bed with the people all there.

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Do you recollect how soon Mr. Courtenay, the visitor, came to the Penitentiary, after Mary Turner's death?—No.

Or about the time of his first visit, after the death of Mary Turner?—No; I remember Mr. Pratt did not like the medicine being given to her; he was angry at it, but he made no remark afterwards.

Have you any reason to believe there was any particular ill will between Mr. Pratt and Dr. Hutchison, any cause of offence existing?—I do not know that there was; I do not think that Dr. Hutchison had much confidence in Mr. Pratt, nor Mr. Pratt in Dr. Hutchison.

Was there any thing particular between Dr. Hutchison and the matron?—No.

Or any of the nurses?—No.

Endeavour to recollect whether it was the day following, or two days afterwards, that Mr. Pratt made the communication to you?—I think it must have been two days; Mrs. Bennett was present.

Did you join Mr. Pratt in the complaint he made of Dr. Hutchison's intoxication?—No; I was never questioned upon the subject; Mr. Courtenay told me of the charge that Mr. Pratt had brought against Dr. Hutchison, and I repeated to him what I have said before.

Did you agree with Mr. Pratt as to Dr. Hutchison being frequently seen in a state of intoxication?—No, certainly not; I have seen him out of temper, a little hurried; a little matter would do that.

When Mr. Courtenay spoke to you, and the committee afterwards, did not you rather give them reason to believe you connected with them?—No, I only said what I had heard; I never was examined by the committee; I stood out against it; I said it was only an unusual irritability of temper.

Do the Committee understand you to state distinctly you were never examined upon this charge against Dr. Hutchison before the committee?—Never.

You have stated you did not think that Dr. Hutchison and Mr. Pratt had any great opinion of each other's professional talents?—They were not upon the best of all terms; they were at a sort of distance; I remember about a year ago, when Dr. Hutchison complained of not being sent for to a poor woman that died, of the name of Atkinson, I remember telling him I found Mr. Pratt there at three in the morning, and Dr. Hutchison expressed a wish that he had been sent for; I was never more astonished than when I saw the letter that Dr. Hutchison addressed to the committee; I never imagined it, till I saw it in the paper sent down to my father, that I was included in the charge, and I asked Dr. Hutchison what he meant.

Have you that opinion of Mr. Pratt as to think he would bring a charge against Dr. Hutchison, knowing it to be false?—No; but there was a misunderstanding; if I had known him to be a person in the habit of being intoxicated, I should have said, why that person must be drunk, or half drunk, but I never thought of any thing of the kind; I was not examined on the subject by the committee.

Mr. Courtenay spoke to you about it?—Yes; I said I observed that irritability about him.

You were an army chaplain?—Yes, I was for eight years.

Mrs. Ann Cowsey, called in; and Examined.

*Mrs.
Ann Cowsey.*

YOU are a nurse at the Penitentiary?—Yes.

How long have you been there?—From the commencement of it.

Were you present at the time that Mary Turner died?—Yes.

Were you present when Dr. Hutchison and Mr Pratt first came to see her, on the evening of the 19th May, when she died?—I was.

Can you relate to the Committee what passed when they came into the room, or did they come in together?—They came in together.

Was any body else in the room besides you and Dr. Hutchison, and Mr. Pratt?—The women.

What women?—Jane Beaumont and Elizabeth Collison were in the next bed.

Any other prisoner?—Mary Ann Butcher.

Any other?—Sarah Mitchell and Rosina Pennington.

Was it in one of the large rooms, or one of the small ones?—One of the rooms adjoining mine, on the left in going into my room, in Pentagon 4.

Do you recollect whether Dr. Hutchison and Mr. Pratt came in together?—Yes, they certainly did.

Was

Was Mr. Bennett in the room at the time?—He came in afterwards.

Was he in at the time?—I think he came in almost immediately afterwards; no, before.

They came in before Mr. Bennett?—Yes.

Can you state what they did or said when they came in?—Jane Beaumont was on one side of the bed; Dr. Hutchison and Mr. Pratt came round there, and Dr. Hutchison patted Mary Turner on the bowels and told her to keep her spirits up: I think, to the best of my knowledge, Mr. Pratt said something about *mortis*.

You told Mr. Courtenay they used some Latin words?—Yes.

What passed afterwards?—Doctor Hutchison ordered her a bath; I made answer, it was near upon the close of the women going to bed, and I said, I was afraid there was not water in the general kitchen to supply the bath; Dr. Hutchison immediately said, you must get the kettles and put on; I said, Dr. Hutchison has ordered a warm bath, I am sure she will die, nobody shall put her in but myself; I was attached to her.

Did you observe any thing particular in the manner of Doctor Hutchison?—I thought he was hasty over her, knowing that she would die, because she had every appearance about her, by the blackness of her hands and arms, and the shortness of her breath.

Have you ever said to any body, you thought Doctor Hutchison was otherwise than sober?—I have said that Collison said, as soon as Doctor Hutchison had gone, Doctor Hutchison would not have done so, if he had not had too much wine.

Did your own observations tend to confirm that, or contradict it?—I did not encourage it.

Was it your observation?—Upon my own observation; I smelt it.

Did you conceive he was affected with wine?—It appeared to me so, hitting her or her bowels; he acted very different in the morning.

Did it appear to you, that he handled her roughly in the course of the evening?—Yes.

Did you mention it?—Yes.

To whom?—To Mrs. Barnacle.

Any body else?—The matron.

Was Mrs. Barnacle present at the time?—Yes, she was in the passage.

Did you make that observation then, being in the room, or go into the passage?—I went into the passage; I was so hurt with the child, I thought her dying, and I could not bear the idea of her going into a bath, but it was not my business.

Did you ever see Doctor Hutchison at any other evening when you had a notion he was not sober?—His manner was very different in the evening, from what it was in the morning.

Was there any conversation among the women, except what you heard Collison say to the same effect?—I have heard the women buzzing and talking, and I have always turned off and not given any encouragement; they said, that the Doctor had said so much about his night-caps.

What did that mean?—Finding fault with them as to their looks, and so on.

What observation has Doctor Hutchison ever made about the night-caps?—That they were not the right kind of night-caps they should have.

In what way, medically?—No frills to them.

Was not it, that they were dirty?—No, that could not be, I never allowed that.

Was there never any complaints about the night-caps being dirty?—No, I never heard it.

Did Doctor Hutchison ever make any complaint of it?—I never allowed them to wear them dirty.

Were the women told they should wear frills to them?—Yes; sometimes they had caps with frills to them, and sometimes not.

Were you there when Mr. Bennett read prayers?—Yes.

Had Dr. Hutchison and Mr. Pratt been in before?—Yes; Mr. Pratt then went for the blister and the medicine.

Was the bath ordered before Mr. Bennett came in, or afterwards?—Before Mr. Bennett came; because the matron and Mr. Bennett went into my room during the time that Dr. Hutchison prescribed.

Have you ever had occasion to reprove any of the women for such observations as you here stated?—I have Collison, and some of the other women.

On that night?—Yes.

Never afterwards?—No.

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Are you sure the warm bath was ordered for that girl?—Yes.

Was Ann Shorter on your side?—No, on Mrs. Barnacle's side.

Have you had any conversation with any person, and if so, with whom, on the subject on which you appear to be examined here to-day, in the last week?—No.

No person whatever?—No.

Mr. Pratt?—No.

How did you know on what subject you were to be examined to-day?—I did not know what I was to be asked.

Nor the subject?—No.

Did you communicate to any body you had smelt Dr. Hutchison of wine that evening?—I did to Mrs. Barnacle and to the matron.

To any body else did you communicate it?—Yes.

When the warm bath was ordered for that girl, did the women express surprize or not?—Yes, they did; Jane Beaumont attended the child, and I desired her not to leave her the whole day, and she knew she was dying.

She knew of the order being given?—Yes.

They expressed surprize at the order?—Yes.

Who gave the last medicine to her?—Dr. Hutchison.

Who administered the blister?—I did myself; half of one on the stomach.

Do you remember that the blister was ordered after the bath?—No, all at the same time; Mr. Bennett came in while I was putting it on.

You have criticised the words of Dr. Hutchison upon that occasion; as you appear to have great feeling for Mary Turner, do you think you might have felt any transaction that did not come up to your notion of tenderness towards her?—Just as I spoke was the truth as it was, I really spoke as I felt, and I think was the fact.

You mean to say, that no tenderness towards Mary Turner made you think that Dr. Hutchison was more hasty than usual?—No, I considered him much about the same as usual.

As his ordinary mode of proceeding?—Yes; I thought the child was dying, and I said, if the child was to go into the bath, I would put her in, in case she should die, and drop from their arms; that was my idea.

You have also stated, that Elizabeth Collison said, that Dr. Hutchison smelt of wine?—Yes, she did.

Do you not from your knowledge as a nurse, and having been so long with sick people, and consulted patients; do you not know they are more sensible to smells of all descriptions, than any other class of people?—The woman was very close to the bed; she did say that, and I made answer to her and said, after gentlemen have taken their dinner it is very general to take wine; and I desired her not to mention it any more; I thought it my duty to check any thing of the kind being said.

Are you certain that no complaints were ever made somewhat about that period, in June or July 1822, relative to the dirty night-caps?—There is in general some complaint or other about caps; at one time, when Dr. Hutchison came in late in the evening, I would say, "Come women," and they would hurry off their day-caps, for fear of being found fault with.

Was not Dr. Hutchison very particular about the dress that was worn in the infirmary, and about the making of the beds, to prevent people lying down upon the beds in the morning; and was he not very strict in enforcing those regulations?—Yes; and many people who are very poorly, and who felt as if they could have got up in the morning, would have been glad if they could have laid down in the morning; they could not get up, it was my duty to fulfil the directions of the medical gentleman.

Of course, Dr. Hutchison, if he found his orders not obeyed, was angry, either with you, or the women who had not obeyed them?—Yes.

Did he ever speak to you as to your own neglect, in not keeping the legs of one of the patients clean?—That might have been the case; I have always been particular to see that the women have all their feet and legs clean; I will not say but he might have met with one, but in the general way their feet have been clean.

Is this statement correct as applicable to you, he says, "I have found patients sleeping in night-caps they had brought up from their cells, and worn the whole week, consequently very dirty; and lastly, the exceedingly filthy state I lately found a patient's legs in, a day or two prior to dissolution, for which the nurse felt the greatest shame and contrition, saying, it should not occur again;" were you the woman that applied to?—I am; I think it was a woman of the name of Parker.

Did

Did you see Dr. Hutchison kneel down, when Mr. Bennett said prayers over Mary Turner?—Yes.

Did you see him get up from his knees?—Not particularly; I did not notice that. I kneeled down at one end of the bed; I think the middle of the bed, on the side, with my face to Mary Turner.

At what time did this take place, about the dirty legs of the patients?—It must have been towards the middle of last summer.

Before or after the death of Mary Turner?—It must have been after; she died in the year 1822; I think it was after.

Had you any reason to believe, before the death of Mary Turner, that Dr. Hutchison was dissatisfied with you?—At times.

The Committee clearly understand you to state, that previously to your coming into this room you did not know of the subject you were to be examined upon; and that you have not had any conversation with any body in the last week?—No.

Did you ever see anything in Dr. Hutchison's manner that would have led you to remark it, if it had not been remarked to you?—Yes, in the general way, finding fault with handkerchiefs and things of that kind; I was told to keep the women particularly clean.

You did not attribute that to his having taken too much wine?—I always found him much pleasanter, if he attended in the morning than after three o'clock in the afternoon.

Did you ever tell any body so, that you found him pleasanter in the morning than the afternoon?—Only to the matron; I was flurried before the women.

You say you have found Dr. Hutchison pleasanter before three o'clock than after; did you ever say so to any body?—Yes, to Mrs. Barnacle.

Who else have you said so to?—To the matron.

To any body else; to any of the gentlemen of the committee?—No.

Or to the chaplain?—I dare say I have to the chaplain.

Have you frequently said so to the chaplain, to impress that upon his mind?—Yes, I have named it to the chaplain.

Are you quite certain you have never said any thing to Mr. Holford or Mr. Courtenay about it?—I think I have to Mr. Courtenay.

You have stated, you never had any conversation with any body about what you were to be examined upon in this last week; was there no notion in the Penitentiary, that any part of the examination was to touch the character of Dr. Hutchison?—No; I have heard Mr. Courtenay say, a time back, all about it; he never told me I was to come here; and I did not know I was to come till last Friday.

You knew you could be sent for here upon no other business than that?—I had no idea of anything else but that.

When you mentioned to some body in the prison the remark of Dr. Hutchison about the women's frills, you remarked it as a piece of lighter conversation than he was generally in the habit of using?—Yes.

And you were surprized at it?—Yes.

Before the prisoners?—Yes.

Mrs. Lucy Barnacle, called in; and Examined.

YOU are a nurse at the Penitentiary?—Yes.

How long have you been so?—Seven years last Tuesday.

By whom were you recommended?—Mr. Morton Pitt.

How long did you live in his family?—Eight years.

Were you in the infirmary on the night on which Mary Turner died?—Yes.

Were you with her at the time she died?—I did not see her die, I was outside the door at the last moments.

Will you relate, as nearly as you can, what you know of the transactions immediately before her death?—I was with her and Mrs. Cowsey, we thought she could not live long, and Mrs. Cowsey said, we had better go and call the matron, and it was Mary Turner's request to see Mr. Bennett; I told the matron that she wanted to see Mr. Bennett, and she said she would call him.

Were you in the infirmary when Doctor Hutchison and Mr. Pratt came in?—When I came back they were in the room.

Did you hear any direction given by Dr. Hutchison to Mr. Pratt?—Yes, he ordered a blister and a bottle of medicine, and Mr. Pratt seemed very much agitated when he came out of the room.

*Mrs.
Ann Cowsey.*

(June 23.)

*Mrs.
Lucy Barnacle.*

Mrs.
Lucy Barnacle.

(June 23.)

Was any thing said by any body about a bath?—Dr. Hutchison ordered a bath, I was the person that ordered my ward's woman to order the bath, but the steam was off, there was no water.

Did you take the order from Dr. Hutchison?—No; I took it at the door.

Who did he give it to?—Mrs. Cowsey; she told me they wanted a bath, and I told the ward's woman, but there was no water, and he ordered the tea kettles to be put on.

Did you see the medicine administered?—I did not; I saw the blister cut in two and carried into the room.

Did you hear any observations made by any body concerning Dr. Hutchison?—Yes; Mrs. Cowsey came and said, "Dr. Hutchison is patting that little girl about" and I cannot bear it," she was crying, and Mr. Bennett said, if she was going in the bath he would go to prayers first; he went to prayers, and Dr. Hutchison knelt down at the side of the bed, I did not see the medicine given, I was not in the room.

Did you see any thing in Dr. Hutchison's behaviour that attracted your observation?—Yes; we fancied he was not as he used to be in the morning.

What did he do, what was there from which you drew that conclusion?—He seemed queer, I cannot say what was the matter with him, he did not seem as at other times.

Was he more irritable than at other times?—Yes.

Did he find fault?—No, he did not find fault.

Was he hurried in his manner?—Rather so.

Was he different on that night from other nights?—I thought so; we said so one to another.

Was any observation made by any of the prisoners?—Not that night; I was not in the room; there was something said on my side.

On that evening?—No, another day.

What was mentioned?—A woman of the name of Hurst said he smelt of liquor enough to knock any body down, and a woman of the name of Byle said, "he is" so full of his night caps he has not looked at my blister at all." Hurst is dead.

Did your own observation agree with the prisoners?—I could not go to disclose to the prisoners what I thought; I mentioned it to Mr. Bennett, and he scolded at one of the women, but not the right one.

What was Dr. Hutchison's manner that night that struck you?—He went from bed to bed, and ordered frills to their night caps on one side, and on the other not; quite different from what he used to be.

Was not he in the habit of looking at the night caps of the women to see whether they were clean or dirty?—Yes.

Did he not complain when they were dirty?—Not in my hearing; one side had frills to their night caps and the other not; he wanted to know the reason; I said some had their night caps and some day caps; he ordered frills to them all, and I said the matron had enough to do to get the frills to their day caps, and I did not know whether she could do it to the night caps, but I would ask her.

Was not he very particular in the infirmary as to their dress, that they should be clean and comfortable, and tidy, and all alike?—Yes, he was.

Of course he must have scolded very often, when he found things not right?—I do not know; he never scolded me; he only said what I have repeated.

Did he ever find fault with any thing that happened to your ward?—Yes, he did once; he found a woman's leg dirty in my ward, which was very wrong, and he said if he saw it on Mrs. Cowsey's side he would have her before the committee; he said he would be damned if he would not work them both, both Mr. Pratt and Mrs. Cowsey.

Was this in the evening, or the morning?—In the morning, I think, about the middle of the day.

About what o'clock?—I cannot say.

It was not at night?—No.

It was before six o'clock?—Yes.

What conversation have you and Mrs. Cowsey had upon this subject, before you came into this room?—I have not seen Mrs. Cowsey, except to day, I am away from her.

Where have you been?—I have been in the infirmary.

Did you upon the whole consider that Dr. Hutchison was attentive and humane to

to the patients under his charge?—The prisoners seemed very much agitated when he came in at times.

When he scolded in the wards, was not it because the things were not in order?—No; they would run from one side to the other, and say, "Here is Dr. Hutchison coming."

Do you mean that there was any impression among the prisoners, that Dr. Hutchison was in an unfit state?—No further than what I have been told.

Did you communicate it to any body but Mr. Bennett the chaplain; did you tell any of the committee, or any of the gentlemen about it?—I do not recollect.

You have stated, that Dr. Hutchison speaks now and then sharply; is it ever necessary to speak sharply to the prisoners, when they do not obey any orders you may give them?—I have been obliged to do it; I have talked to them, and reasoned with them.

You were never put past your temper?—No, I believe not.

After this business happened, upon which you were asked different questions, in June, did not Dr. Hutchison express a wish, you would go to him at his house?—Yes.

What for?—I do not know. He said, "Mr. Pitt was very glad I had nothing to do with that affair;" I said, "What affair?" and he said, "Mary Turner." He said, "Do you ever go out?" I said, "Yes, sometimes." "Call upon me," he says, "when you go out, I want to speak to you; do not you tell of it."

Did you go?—No.

Why did not you?—I had no acquaintance with Dr. Hutchison; I had nothing to say to him but about my business.

Did he ever ask you afterwards, why you did not call?—Yes.

What reason did you give?—I never gave him any reason; I never said I would or not.

Did you ever mention it to any body?—Yes; to Mr. Bennett and the matron, and they advised me not to go.

Did you mention it to any of the visitors of the committee?—Yes, to Mr. Holford.

Did Dr. Hutchison, prior to the month of June, advise you occasionally to go out of the Penitentiary, by way of exercise?—I cannot say whether he did.

About the time that Mrs. Morton Pitt was brought to bed?—I cannot say he did.

Did he ever say, if you went out you might call and rest yourself at his house?—No, he never did; you may rely upon it I would not tell a falsehood; he never did.

Did you tell Dr. Hutchison, after he had spoken to you about this business of June, that you knew nothing at all about it; that you were not in the business?—I never did; I never had any conversation with Dr. Hutchison; I always shunned it; I never even told Mrs. Cowsey about it.

You had no conversation with Dr. Hutchison upon the subject?—Never, upon any point whatever.

Did Dr. Hutchison ever tell you, he was glad you had nothing to do with this business?—He said, Mr. Pitt was glad I had nothing to do with it.

What answer did you make?—I made no answer to him.

You went away without saying any thing?—Yes, I did; I asked him what, and he said concerning Mary Turner.

To that you made no answer?—I did not.

You lived eight years in Mr. Pitt's family?—I did.

In what capacity?—Laundry maid.

And he recommended you to the Penitentiary?—Yes; and my husband lived there sixteen or seventeen years; we married in the family, and he died there.

What was the cause of your being so coy with Dr. Hutchison?—I was always very cautious; I was never called upon by the committee; I was told by Mr. Pitt to keep myself to myself, and I looked upon Mr. Pitt as a great friend to myself and my husband; and I have always done my duty, I hope, and never meddled with another person's business.

You have mentioned that the prisoners appeared agitated when Dr. Hutchison's coming was announced; did they appear to be so when Mr. Pratt was announced?—No.

Did not the prisoners appear to be of better behaviour when you announced yourself?—No; my apartment is very close to the infirmary; I am always in my room, and we always make it a rule to be one of us in the infirmary, and I have never had hardly to tell them to be quiet but they have obeyed my orders.

Mrs.
Lucy Barnacle.

(June 23.)

Suppose Mr. Courtenay, or any of the visitors had been announced, would you not observe some difference in their behaviour?—No, never; I do not think it my duty.

Who directed you to come here?—The governor, or the matron; the coach was ordered.

Did she tell you upon what subject you were to be examined?—No; I did not know it myself.

George P. Holford, Esq. a Member of the Committee, Examined.

G. P. Holford,
Esq.

YOU have heard what the last witness said about being desired by Dr. Hutchison to come to his house; did she make any communication to you of that fact, and what?—She did once or twice, last summer, mention to me that Dr. Hutchison had desired her to get leave from the matron to call upon him, and she intimated great apprehension; she thought he wanted to talk to her upon this subject, and she expressed great unwillingness to go, and rather advised with me as to what she should say; I told her, if she chose to go I did not know there was any objection to it, but if she felt unwilling to go, and was unhappy on the subject, she might say she had mentioned it to me, and I thought she might as well not go; but I never understood that Dr. Hutchison had spoken to her again upon the subject.

Was not she recommended by Mr. Pitt to her situation?—She was, I believe.

Mr. Pitt was a great friend of Dr. Hutchison?—He was.

Do you think it at all unnatural that Dr. Hutchison, knowing the charge that had been made against him, might have been anxious to have learned from this witness what she knew of it, knowing also that she was present?—I do not think that at all unlikely, but I see no reason why he might not have had the conversation with her in her own room, as well as at his house.

Of course Dr. Hutchison must have been the best judge of where he would have liked to have talked to her?—Yes, of course.

You say Mrs. Barnacle told you that Dr. Hutchison wanted to speak to her upon this subject?—No; that he wanted to speak to her, and she supposed upon this subject.

Had there been any conversation between you and Mrs. Barnacle upon this subject?—I think not at this time; it was much talked of at the Penitentiary, and I have no doubt I talked to her afterwards upon the subject; I endeavoured to form an opinion upon the subject by conversing with the officers of the establishment; she is a timid woman, and she appeared to be under some apprehension, I could not understand; I merely mention these facts to confirm the evidence of the woman, because she may have been mistaken, but I do not think she would wilfully tell a falsehood.

Mrs. Elizabeth Wilkinson, called in; and Examined.

Mrs.
E. Wilkinson.

DO you recollect the death of Mary Turner?—Yes.

Were you in the infirmary at the time that Dr. Hutchison and Mr. Pratt came in?—They were there before me; the nurse came down to inform me she was much worse.

Did you go up in consequence?—Yes; and as Mary Turner wanted to see Mr. Bennett, I went to Mr. Bennett, and we went down together.

Did you find Mr. Pratt and Dr. Hutchison there when you came there?—Yes, I found them both there.

In what part of the infirmary did you find them?—In the room where Mary Turner was.

Were you present when any directions were given?—Yes.

What directions were given in your presence?—A bath was ordered, and a blister and some medicine.

Were those things ordered in the room in which the patient was?—Yes.

Was Mr. Bennett then present?—Yes, he was present at the time.

What passed afterwards; was the bath prepared?—Mrs. Barnacle went to inquire, and she found the steam was off; there was no hot water in the kitchen; Dr. Hutchison then ordered the tea-kettles to be put on the fire.

Was the blister put on?—Yes.

Who applied it?—I think Mrs. Cowsey.

Was the medicine administered?—Yes.

By whom?—Dr. Hutchison himself.

Was

Was there any thing in Dr. Hutchison's manner to lead you to make any particular observation?—Yes.

Were any observations made upon that by yourself, or others in your presence?—By the nurse, Mrs. Cowsey.

What did she say?—She met me in the passage, crying very much; and she laid her hand upon Mrs. Barnacle's arm, and said, "I cannot stay in the room any longer; Dr. Hutchison is pulling that poor child about."

Did she say any thing more?—No, not then.

Were any observations made by any body else?—Yes, I think, by Mrs. Barnacle.

What did she say?—Something about that she wished Dr. Hutchison would come in the morning.

Did you make any observation yourself?—That I thought Dr. Hutchison was a little irritated; I thought there was a difference in his manner in the evening from the morning; I never saw him much in the evening.

Did you attribute that to any particular cause?—From having heard some remarks, I certainly did.

What were those remarks?—They were in general from the nurses what I heard.

Were they their own observations, or the observations of the prisoners?—The observations of the nurses to the prisoners, and the prisoners to the nurses.

Did your observation lead you to confirm those of the nurses and prisoners?—I cannot say but what it did.

What was that conclusion you formed?—The conclusion I formed was, that Dr. Hutchison had taken too much wine.

Did you ever see any thing, on any other evening, to lead you to form such conclusion?—I was in the habit of seeing him more in the morning than the evening; I have met him there.

Had you any previous quarrel with Dr. Hutchison?—Not the least that I know of.

Had he often complained to you of the nurses?—No; I had only one complaint, and that was respecting the washing of the passages.

Was that before Mary Turner's death?—Afterwards.

Were you present when Mr. Bennett began to read prayers?—Mr. Bennett said he would rather read the prayers before she was put in the bath than afterwards; I was present.

Was any remonstrance made by any body to the bath?—Yes, I did; I said I thought she was so near her death, it was a pity to disturb her.

What was there in Dr. Hutchison's manner, on that night, which excited your attention; describe it, if you can; what was his appearance?—There was a kind of irritation in his appearance, and, I thought, an inconsistency.

Did he speak sharply?—Rather in a hurried manner.

Like a person agitated and distressed?—Yes; it was a kind of agitation.

Was he in low spirits?—I did not see it.

Not depressed?—No.

Was he elated and gay?—No, not particularly elated; he did not act as I have seen him at other times.

He was agitated and hurried?—Yes.

Have you ever seen him angry in a morning?—No, I do not recollect that I have.

Did you ever hear him scold any one?—Not to my knowledge; I have heard him make little remarks to the prisoners, but not in a scolding way.

You cannot say, whether his manner that evening, was like his manner any other evening?—No very different.

In what particulars?—There was an inconsistency in his manner, even in his conduct towards Mary Turner.

Did he feel her chest and her stomach?—I was not in the room when that was done, but the nurse told me.

Do you not think, that nurse Cowsey being attached to the child, might have considered Dr. Hutchison's manner as harsh to the child, when he was only doing what a physician might do, seeing whether there was any thing lodged in the cavities of the chest, feeling that that was essential?—No, I do not consider that, because Mrs. Cowsey had seen so many patients; I do not think that at all.

Mrs.
E. Wilkinson.

(June 23.)

Mrs.
E. Wilkinson.

(June 23.)

Did Dr. Hutchison support the child when he gave her the medicine?—I think one of the nurses or one of the prisoners assisted him.

Did he raise her up?—Yes.

Was he kind in his manner to the child when you saw him?—He desired her to take the draught.

Was he kind to her?—I cannot say exactly kind.

Is his manner to prisoners that are sick, authoritative and imposing, calling upon them to do this or that?—Yes.

That is his usual manner?—Yes, to some of them; they were under fear of him I know.

He kept very good order in the infirmary?—Yes, I believe so; I had no complaints from the infirmary, and I have not now.

Did you find fault with any of the female prisoners for remarks made on Dr. Hutchison's manner and conduct that evening?—No, I never mentioned it to them.

Did you ever scold any of them for the remarks they made?—No, I did not scold any of them; I heard they did make remarks to the nurses.

Did you know of any conversation that at any time took place between Dr. Hutchison and the prisoners, as to their night caps?—I was not present; I heard it from the prisoners, that they were to have night caps with borders to them, frilled night caps.

Was there any thing remarkable in his saying that?—The prisoners said as I should hear, I did not hear it; that in the morning Dr. Hutchison was all very well, but in the evening he could talk of nothing else but frilled night caps, he was so full of his wine.

Have you communicated to any body your opinion, that Dr. Hutchison had had too much wine on that night?—No, I do not know that I have particularly.

Did you tell it to Mr. Bennett?—Yes, I believe, I might mention it to him.

To Mr. Holford? No, I do not know; I recollect I mentioned the great inconsistency in his behaviour, and I might mention that he had taken too much wine.

To Mr. Holford?—I am not sure.

You think you might have mentioned it to Mr. Bennett?—Yes, I think we spoke of it; he was present at the time.

What answer did Mr. Bennett give you?—I do not think he gave me any answer; I said that he was very inconsistent in his manner, and appeared very strange.

Is it necessary to assume an authoritative tone in giving orders for the taking of nauseous medicine, or submitting to an operation?—Very seldom.

Do you find it necessary in your department, to speak in an angry tone in the discharge of your duty?—I sometimes do reprove them; but I do it in a mild tone.

You have represented the inconsistencies of Dr. Hutchison, but you have not described them, favour the Committee with a few of them?—I have described them as far as lay in my power.

The Committee would consider it an inconsistency, first ordering a blister, and then directing the blister not to be made, to order a bath and then to contradict it?—Those were the inconsistencies, they were very great inconsistencies.

Was that done?—The blister was applied, but the bath was not; the girl died ten minutes after.

There was no water hot?—No; but the kettles were ordered to be put on the fire.

Then if the girl died in that time, there was no occasion to put the kettles on?—But she was not to be put in the bath; he said that before he left the room; but the blister was to be put on; and after he had gone ten minutes, the girl was dead.

The only inconsistency is, that the bath was contradicted because there was no hot water?—No; I did not say that; the water was on the fire to make hot; why he ordered her not to go in I cannot say.

Did you hear that the doctor contradicted his prescription after he had given it, and ordered another mixture?—No, I do not recollect that.

Is it not very usual to order hot water to put patient's feet in, when they are dangerously ill?—I have never seen them put in hot water when so near death as that.

How long have you been there?—Seven years.

Who recommended you?—Mr. Litchfield.

What situation were you in before?—Not any situation.

How are your poor people to-day?—Considerably better; much better.

Sir Gilbert Blane, Bart. further Examined.

IS it not a very usual practice, to order a blister in consumption?—Very common. At whatever period of the disease?—At any and every period of the disease.

Would a draught, composed of camphor, a few drops of æther, and a few grains of aromatic confection, be considered an improper medicine to be exhibited to a person labouring under that disease in the last stage?—I should think it a very proper application in a state of great debility and languor, whether in that disease or any other.

Is not an abscess likely suddenly to give way in the lungs, and cause immediate death, in that disease?—It is a very frequent termination of a consumption, to be suffocated by the sudden bursting of an abscess.

Where the breathing is difficult, is it not usual to sound the chest with the fingers, on the opposite sides, to ascertain whether there be effusions or matter in either cavity?—This is a matter which is very common in this country, in consequence of the discovery, or supposed discovery, of a French physician, who has pointed out a method by sounding, by gently striking the breast, of ascertaining what are the morbid contents of it. Might I be permitted just to state to the Committee, that it is the practice among all regular and well educated physicians, that even in cases of extremity, we consider ourselves bound to order something, as a medicine for the mind of the patient more than the body; because, we apprehend, from the great uncertainty of life, nobody can pronounce to the day or the hour when death may happen; but in the most hopeless case, it is never our practice to cease from prescribing for the patient, for fear of throwing the patient into the horrors of despair. We never cease to order something; it may be as harmless as possible, and nothing could be more harmless in a case of this kind than a gentle draught; and the blister did afford some chance of relieving the breathing, because in the last extremity of a consumption, the anguish proceeds from the difficulty of breathing; the blister was therefore very likely to give relief.

Not as a specific or cure, but in the nature of relief?—Yes. In speaking of Dr. Hutchison's character, I omitted to mention that he was a respectable author, and has written upon several diseases. Some of his tracts are much esteemed, particularly a tract regarding stone and gravel; and also another, relating to amputations in battles by sea and land, in which he has settled a very problematical point, at what time the amputation should be performed. I ought also to mention, that, of all the numerous medical officers I have known in my practice, which has been as extensive as any one's, I never knew one possessing greater humanity than Dr. Hutchison; insomuch that, at Deal hospital, he has been in the habit of going without his night's rest, to attend on a single seaman.

You having mentioned the efficacy of a blister, and the cardiac draught; have you ever known a warm bath prescribed or administered to a patient so near death, in a case of consumption, as within a quarter of an hour?—That is supposing I or any body knew it should happen in a quarter of an hour; the question is not intelligible upon that ground.

Under the circumstances stated, would you have administered the bath?—I should not, nor do I think that any judicious physician would have administered it; but I know in all cases there is a diversity of medical opinion, and there are medical men who might have ordered it. I remember, thirty or forty years ago, in consultation with Dr. Jebb, a celebrated man in his day, he proposed it in a case something like this; so that it is not a practice reprobated by the whole profession.

Particularly where the extremities are become cold?—I dare say it was with a view to recal active circulation.

Sir William Hope, a Member of the Committee, made the following Statement:

Dr. Hutchison was originally recommended by me when I was at the board of Admiralty in 1808, to be the surgeon of the marine corps; soon afterwards a vacancy took place for the surgeon of Deal hospital. I had heard so good an account of him, and my opinion was so favourable of his conduct while in the marines, that I thought it my duty then to call Lord Mulgrave's attention, who was first Lord of the Admiralty, to his merits; and in consequence of that he was appointed surgeon to Deal hospital. At the peace, of course, when that hospital

*Sir G. Blane,
Bart.*

(June 23.)

Sir W. Hope.

Sir W. Hope.

(June 23.)

was broken up, he was put upon half-pay. Soon after I came to the Admiralty, in the year 1820, again there was a vacancy happened for the head surgeon of Haslar hospital. Dr. Hutchison's conduct had been altogether so proper, for, though I had not been in the habit of seeing Dr. Hutchison, I had heard much of him; I considered it my duty to recal Lord Melville's attention to him without his knowledge, and recommended him to fill the situation as first surgeon of Haslar hospital; which situation is worth, I believe, five hundred pounds a year, besides a house and other things belonging to that situation. Dr. Hutchison in consequence received an official letter, telling him he was appointed to that situation; he came to me, thinking perhaps as I had befriended him before, I might have been instrumental in getting him the appointment. He then told me, that he was medical superintendent of the Penitentiary, with a salary of two hundred pounds a year, which, with his half-pay and his increasing practice, he thought was equal, and would ultimately be better than his situation of surgeon to Haslar hospital. He requested me, as a favour, that I would ask Lord Melville to cancel the appointment; consequently he did, on the faith of this situation, and his practice increasing from his good character, give up this five hundred pounds a year, and his naval services, you may say, for ever.

Edward Goulburn, Esq. called in; and Examined.

*E. Goulburn,
Esq.*

HOW long have you known Dr. Hutchison?—Twenty-two years; during the early part of that period extremely intimately, having been four or five years on board the same ship with him, latterly during the period he was in the naval hospital at Deal, my profession being that of the bar, I have not had the same opportunities of seeing him, but of late years I have renewed my former intimacy, for five or six years.

Have you constantly been in the habit of seeing him?—Yes, very often.

How often?—I was always glad to see him, and I flatter myself he me.

Have you ever dined with him?—Yes, often.

What are his habits?—Temperate in the extreme; I do not remember, all the time I have known him, to have once seen him, I will not say in a state of intoxication, but approaching to it; I know his habits are most temperate; I can only say in addition, that if I was to fix upon any trait in his character that is more remarkable than another, it would be his good temper and kindness to all; I knew him to be particularly humane to the seamen.

Is he not a person of an anxious mind, and when any thing irritates that mind, showing it very strongly?—Yes, there is that; being brought up at sea he feels quickly any attack upon his honour, and feeling quickly he expresses himself strongly.

Is he not a person who has an anxious and hurried irritable manner?—Yes, and that is rather increased in consequence of having lost his front teeth, which gives an indistinctness to his articulation, which to a person unacquainted with that circumstance, might give him a different appearance; I never saw him in a state approaching to intoxication, and I believe him to be one of the best tempered men.

Have you seen him much in the evening of late years?—Not much in the evening; I am generally at my chambers.

Whenever you have seen him, you never saw any thing approaching to intoxication?—No, I have not; and if he had been at all addicted to that in the course of our first acquaintance, I must have heard of it, which I never did.

George P. Holford, Esq; further Examined.

*George P. Holford,
Esq.*

HAVE you ever had an opportunity of seeing Dr. Hutchison in his afternoon attendances at the Penitentiary?—I do not know that I was ever with him in the infirmary, but I have seen him at the Penitentiary, and I can say I have never seen any thing that could induce me to suppose he was addicted to intoxication, or tending to confirm what I have heard to day from the officers of the Penitentiary.

The Honourable Henry Grey Bennet, a Member of the Committee, made the following Statement;

*Hon.
H. G. Bennet.*

I THINK it but fair to state of Dr. Hutchison, that perhaps there is hardly any one that sees so many persons discharged from the Penitentiary as I do, and have done for many years, and I have uniformly asked them, long antecedent to any business of this kind, in what manner the different officers of the Penitentiary conducted themselves towards them; and I have uniformly found, that they spoke of
Dr. Hutchison

Dr. Hutchison with gratitude and kindness. A little boy, in whose fate I was deeply interested, who died about six weeks ago, spoke to me on his death-bed, and on several days before, of Dr. Hutchison's uniform kindness to him, he spoke of him with the affection of a child to his parent. Dr. Hutchison constantly attended him unsolicited and unknown to me, after he was discharged from the establishment. While he was ill, one morning a boy by the name of W. was at my house asking me to recommend him to work, which I did; Dr. Hutchison came into the room, and I turned round to him and said, "you know that gentleman," the answer of the boy was, his eyes glistening, "yes, Sir, I do, he has always been most kind and attentive to me."

Hon.
H. G. Bennett.

(June 23.)

John Finlaison, Esq. called in; and Examined.

HAVE you long known Dr. Hutchison?—Seven years, intimately.

Have you seen him much in the afternoon?—It was, I may say, always in the afternoon that I have seen him.

What are his habits?—Extremely sober. He could not be well otherwise, without my seeing it. I have generally had the pleasure of seeing him of an evening, once or twice a-week; he has usually called upon me, and always finding me at home about seven or eight o'clock. I have no conception that it is possible for him to have indulged in habits of inebriety, without my having observed it.

Have you ever seen him in a state of ebriety, like a person who has drank too much wine?—Never, nor any thing approaching to it.

Is he in the habit of attending philosophical societies, and taking a part in them?—He is; I have seen him there.

I need not ask you, whether a person in a state of intoxication, is calculated to take a part in the proceedings of those societies?—Certainly not; he could not have that habit without my seeing it, for we are upon terms of the greatest intimacy. There is not a week passes without my seeing him two or three times, and mostly in the evening, as my official duties occupy me in the day time. I beg to say, I have frequently dined with him, and have seen him always take less wine than is usual, certainly less than myself; his quantity of wine is generally less than is usually taken by any one; I was very much with Dr. Hutchison at the time that the business last summer occurred; I was myself in the house, not at the moment that Sir Gilbert Blane and Dr. Granville came, but anxiously waiting for their coming all that day, and I know his extreme anxiety for the inquiry, his uniform denial of what was alleged, and the great disappointment of himself and his family, when he found the investigation was not to be gone into.

J. Finlaison,
Esq.

Martis, 24^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Mr. Frederick Fownes was called in; and Examined.

[*A letter was produced by Dr. Hutchison, and handed to the witness.*]

IS that your brother-in-law's hand-writing?—Yes.

Dr. Hutchison attended your brother-in-law's family?—Yes.

He had a child ill during the period mentioned in this letter?—Yes.

Do you remember his attending that child on the 19th of May?—Perfectly.

Do you recollect his attending him in the evening?—Yes.

Can you name any particular hour at which he attended?—At nine o'clock in the evening.

Is there any thing particular that leads you to recollect that particular day and hour?—Yes; on that day I went down to Mr. Turner's mother at Walthamstow; and in the evening I met Dr. Hutchison at our house, at nine that evening.

You say you met Dr. Hutchison; did you see him yourself?—Yes.

Was he in a state of sobriety?—Quite so.

Had you, or any of your brother's family, the least suspicion he was otherwise?—No.

Where does your brother live?—In the Haymarket.

Dr. Hutchison has attended your brother's family since?—Yes.

Mr.
Frederick Fownes.

(June 24.)

Roderick McLeod, M. D. called in; and Examined.

Dr. McLeod.

(June 24.)

YOU are a physician?—Yes.

You belong to the Medical and Chirurgical Society?—I do.

Are you in the habit of meeting Dr. Hutchison there?—I have not attended that society frequently; I have met him there.

Do you belong to any society to which Dr. Hutchison more particularly belongs, of which he is president?—The Westminster Medical Society.

Did you fill any situation there?—I am also one of the presidents.

At what time does it meet?—Eight in the evening.

For how long?—Once every week during the six winter months.

What part does Dr. Hutchison take in that society?—When in the chair, he presides in the usual manner of such societies, in regulating the debates; on other occasions, when he is not in the chair, he has taken a part in the discussion.

Is that a society in which you read papers upon medical and chirurgical subjects, or in the nature of a debating society on medical topics?—It consists of both; the first hour is devoted to discussion on medical subjects; after which a paper is read.

It is almost superfluous to ask you, under those circumstances, whether you ever saw any thing in the appearance of Dr. Hutchison, that would lead you to imagine he had drank too much wine?—I never did, certainly.

Such an appearance would be utterly incompatible with the situation he held, and the discussions you were engaged in?—Yes, it must have been observed.

You never heard any remark made by any other person, or saw any thing yourself?—I never heard any one make such a remark, or observed any thing.

Do you know any thing of the private life of Dr. Hutchison?—I have dined with him, both at public dinners and private.

Was he abstemious and temperate, or the reverse?—I cannot say I ever noticed him particularly as to what he ate and drank; but I never noticed that he was the worse for wine.

Have you ever seen him perform operations in the evening?—No, not operations; I believe I have met him on consultations in the evening, at from eight to ten o'clock.

Of course the Committee need not ask his condition at those moments?—I never saw any thing of the kind.

Robert Milligan Dalzell, Esq. called in; and Examined.

*Robert M. Dalzell,
Esq.*

ARE you a professional man?—No, a merchant.

Have you known Dr. Hutchison long?—Above thirty years, intimately.

Have you lived with him upon habits of domestic intimacy?—He has been with me, and I have been with him frequently, and I lived in his house for months together in the country, and professionally he has visited me.

Should you consider him a temperate person?—Most certainly.

Abstemious?—Rather more so than otherwise; I never saw him guilty of excess in any way.

And that opinion you have formed from an intimate acquaintance of between thirty and forty years?—Yes.

Mr. James Tweedale, called in; and Examined.

*Mr.
James Tweedale.*

WHAT are you?—A surgeon.

Have you long known Dr. Hutchison?—Yes; I have known him since 1811.

Are you accustomed to consult him professionally?—Yes.

Did you, at any time in May 1822, call him in to perform any operation?—In 1822, I called him in to see the case of a fractured thigh bone, which took place on the 18th; I was not altogether satisfied with my own opinion, it being an old woman and very infirm, I called upon Dr. Hutchison the following morning, and requested he would come; and he said he would come in the evening.

Did you see him on the 18th?—Yes.

And on the 19th?—Yes; and he went with me.

What time was it?—In the evening about seven o'clock; we had a candle, she kept a little grocer's shop, and it was rather dark, we had a candle, it was in a back room.

Was it nearer six than seven?—I think it was; it was before I had taken tea, I took tea after I returned home; it was in Long Acre.

Are

Are you certain it was the 19th?—It was the 19th, I am quite certain; because I had been looking at the day book before I came out.

You are certain it was after dinner?—Yes; I am quite certain of it.

Was Dr. Hutchison then in a state of sobriety?—Perfectly.

Did you see any thing in his manner, that led you to think he had been drinking wine?—Nothing at all.

Did he smell of wine?—Not at all.

Do you smell well yourself?—Yes; perfectly.

You did not find out he smelt of wine that night?—I did not.

You say, between six and seven o'clock on the 19th, he attended a patient under your care, who had fractured her thigh?—Yes; the neck of the thigh bone, and it is not well at present; I was not satisfied with my own opinion and I called in Dr. Hutchison; I would also state, that about a month before that, in the evening, I called upon Dr. Hutchison to tie up an artery.

Was that in the evening?—Yes.

Was he perfectly sober?—Yes.

Did he smell of wine?—No; not at all.

Mr.
James Tweedale.

(June 24.)

Mr. Robert Wade, called in; and Examined.

ARE you an apothecary in Gerrard-street?—Yes.

Are you the apothecary to the Westminster Dispensary?—Yes.

Had you often occasion to see Dr. Hutchison in the evening?—I have been in the habit of calling upon him in the evening, at all hours, for the last three years.

Did you ever see him in a state of inebriety?—Never.

Did you ever find him in a state not of inebriety, but in which his faculties might have been clouded by wine?—I never saw him in a state in which I could have supposed he had taken wine.

Did you ever find him in a state when he smelled of wine?—Never.

Mr.
Robert Wade.

Mr. Thomas Walker, called in; and Examined.

WHAT are you?—An army accoutrement maker.

Have you long known Dr. Hutchison?—Ever since he has resided in London; professionally he has attended my family seven years, or more than that.

Has he often attended your family of an evening?—Yes, frequently; he generally comes in an evening, when he visits us morning and evening.

Have you had much illness in your family?—Yes, I have; Mrs. Walker's health is very indifferent.

Have you ever seen him in a state of intoxication?—Never.

If you had, of course you would never have sent for him again?—Certainly not.

Have you ever had reason to suppose he was so?—Never, in the least; I have often seen him in the evening, and never had the least idea of it.

Did you discover he smelled of wine?—No; I have dined with him, and I considered him as taking very little wine, a very abstemious man; he recommends that to all his patients; I should call him a starving Doctor myself, I like to live a little better than he would advise me to do.

Mr.
Thomas Walker.

[The following Statement delivered in by Dr. Hutchison, was read, as follows:]

"THE Committee having permitted me to submit to them such observations as have occurred to me in relation to that part of the present investigation which comprehends the charge of ebriety preferred against me in June last, I beg leave to state very briefly such particulars only as seem to me the most important to be noticed; humbly laying claim to the indulgence of the Committee for the disadvantage under which I labour at this distance of time, for the difficulty of proving a negative after such an interval, and for the short space allowed me for these comments, which will not indeed admit of my referring to the Minutes of the Evidence given yesterday on the subject of the accusation.

"That accusation as conveyed to me in a letter from the managing committee of the Penitentiary, of the 7th June 1822, consisted in a broad assertion, that the result of a discussion on the death of Mary Turner, had, to their regret and concern, discovered to them that a suspicion was spreading, both among the prisoners and several of those entrusted with the care of them, "that the directions which I give in cases which come under my "consideration after dinner, are marked with a haste and precipitation not observable in an "earlier part of the day." Those expressions are undoubtedly equivalent to an insinuation, that I had fallen into habits of ebriety, which however qualified in the degree or extent to which that ebriety reached, were of general and frequent recurrence.

Dr. Hutchison.

Dr. Hutchison.

(June 24.)

"The same committee, as late as the 17th ultimo, reiterate "that it was a *very grave* charge, that it was at first believed, and is still believed by them to be true."

"The first point, then, to which I would beg to advert, is the complete and total negative which the charge of habitual ebriety has received, not only from the testimony of every witness who has been examined on this subject, and from the testimony of the numerous and most intimate friends of my private hours, but most positively from two of the members of the managing committee, who declare such a charge of habitual ebriety to be *wholly unfounded*, and that no colour existed for the imputation of ebriety at all, except in one single and solitary occasion (namely, the evening of the 19th May 1822, when the child Mary Turner, died,) and even that this solitary instance, was so far from being completely established, that the visitor and committee deliberated for ten days, whether it merited any notice whatsoever.

"Wherefore, the charge, in the shape in which it was first conveyed to me, was evidently, (though unintentionally perhaps) an entire misrepresentation; for it is manifest, that as respects the character of a medical man, the difference is infinite between a charge of habitual, frequent or occasional ebriety, and a charge, that in one single instance, out of a practice of seven years, such a man was supposed to be flurried by wine.

"The general accusation having however been thus completely overthrown, any further remarks are consequently limited to the one particular instance, into the small dimensions of which it now appears, the charge has subsided; and although the lapse of time must have obliterated the recollection of many important circumstances relative to the evening in question, it is very fortunate that enough remains to refute the charge, by a chain of evidence amounting to demonstration.

"It is in evidence, that on that evening I was in the Penitentiary before half-past seven o'clock, Mary Turner having died ten minutes before eight; I walked down there, accompanied by Mrs. Hutchison, from my house in Leicester-square, which I must therefore have quitted at seven o'clock. It is well known, and may easily be proven, that my dinner-hour is always *after*, never *before* five o'clock; whence it appears, that on the day in question, I neither dined abroad nor had we any company at home; so that no convivial occasion could have led me into any unusual indulgence, nor was there sufficient time for such a thing.

"It is in evidence, that I attended on that evening voluntarily, and unsent for; it is clear, therefore, that I was not myself conscious of being, in any degree, elevated with wine; and I should hope, that the single circumstance of my having been accompanied by Mrs. Hutchison in my walk to that evening's visit, is of itself conclusive that she, at least, had no idea of the possibility of such an imputation. Far from a time of festivity, that period with us was a season of serious affliction. It is in evidence, that a domestic misfortune had then, and for weeks preceding, produced on my mind and spirits very great dejection, and perhaps some irritability.

"Under all these circumstances I visited Mary Turner, on the evening in question, in company with Mr. Pratt.

"The Reverend Mr. Bennett states, that he joined Mr. Pratt and myself in the nurse Cowsey's apartment; the patient having desired to see him, to pray with her.

"Finding the poor child in extreme danger, I did with that promptness and quick decision which is usual with me (and which long practice in hospitals and other great establishments renders habitual, but which is neither to be termed haste nor precipitation,) prescribe to Mr. Pratt a cordial mixture and a blister: it is stated by the witnesses, that I also prescribed the warm bath; to which statement I shall advert hereafter.

"It is declared in evidence by the King's first physician, that in such a crisis, no means could have been thought of more likely to preserve the feeble spark of life from extinction than the cordial mixture so prescribed, and the blister; and that he had even known the bath proposed by a physician of great eminence: Mr. Pratt, however, has deposed, that his mode of practice is, never to attempt any remedy in cases which he, in his judgment, conceives to be hopeless, but to leave the patient to die unaided; to which Sir Gilbert Blane answers, that this is not only assuming the knowledge of the Supreme Disposer of Events, but is also cutting off one of the patient's principal resources, namely, hope;—which is naturally cherished by the active exertions of the medical attendant.

"Mr. Pratt, notwithstanding this extreme and imminent danger of the patient, proposed to defer giving the cordial and blister until our other visits should be concluded; upon which it is certain, that I repeated my directions to him, with some degree perhaps of just irritation, by requiring him instantly to obey, and bring the draught, that I might see it given.

He states, that while in the act of quitting the room, he heard the warm bath prescribed; he does not say, positively, for Mary Turner, but believes it to be so, because he thinks it could be for none other, although he at last admitted, that there were more than one other patient, for whom it would have been beneficial.

"While Mr. Pratt was gone to prepare the medicine and blister, it was proposed, that Mr. Bennett should pray for the patient. It is in evidence, that I joined in the devotion, and that I then carefully raised the patient up, and administered the mixture to her with my own hands; that I also tapped against her chest, or sounded, (as it is termed) in order to discover any symptoms there might be of effused matter in either cavity: this necessary examination, the nurse and convicts, in their ignorance and affection for the poor girl, thought roughness; but Sir Gilbert Blane declares it to have been a very judicious means of attaining the end in view, and much practised of late.

"The

Dr. Hutchison.

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"The Reverend Mr. Bennett was present, and an eye-witness of the whole of these proceedings; and although the idea was suggested to his mind, if not pressed on it, that my precipitation, irritability, roughness, or whatever else Mr. Pratt and the nurses chose to term my demeanor on that occasion, was the effect of ebriety, he steadily, from first to last, declared that it was no such thing; that he himself, before I concluded my other visits in the Penitentiary, was the first to acquaint me of the dissolution of the patient, at which I was greatly concerned; and finally, that he walked part of the way to the gate of the prison with me, when I took leave; and that he knew well I laboured under dejection and agitation of mind from quite another cause.

"With this testimony of Mr. Bennett, the chief officer of the prison, which is the more honourable to him from his having had no reason to be pleased with the demeanor which I (induced by an unfortunate misrepresentation to consider him as an enemy) had of late observed towards him; and with the clear, collected, rational, and I must say, humane and kind conduct, evinced by myself throughout such trying circumstances, there is to be contrasted the opinion of Mr. Pratt; and his *causa scientiæ* comes, when fairly sifted, to resolve itself merely into this: that he considered my prescriptions injudicious, and hence infers that I was intoxicated. He blamed the draught and the blister fully as much as the bath, and from that cause, and that alone, he opines I could not be sober. But Mr. Pratt's opinion, even in medicine, which he has practised for thirty years, is, as the Committee knows, not worth one farthing; therefore one would think his sagacity on other matters of mere opinion very far below par, as compared with that of the chaplain, even passing over the demonstrative evidence of the circumstances themselves: and although the old women and some of the female prisoners appear to have chimed in with him afterwards, it is to be observed that they had no favour for evening visits, and they candidly allowed that on those occasions they were more usually than at other times found inattentive to the rules of the infirmary.

"I should esteem it rather degrading to Mr. Bennett and myself, as well as an idle waste of the very short time allowed me for these observations, to comment at any length on the testimony of such persons, or to trace the methods by which a rumour, propagated by Mr. Pratt and the nurses, finds its way among a numerous female auditory; more especially when such a rumour is circulated with the zest of a profound secret, not to be talked of, but which every one repeats.

"To place the direct evidence, however, of my entire and absolute sobriety on the very evening in question, beyond the reach of doubt or cavil, I am (I may say providentially) enabled to read the following letter which is in evidence, and which I will not weaken by any comment:—"31, Haymarket, 18 June 1823. Dear Sir, I understand, that the "Select Committee of the House of Commons, now sitting on the subject of the Peni-
"tentiary, are to-morrow to enter upon an inquiry more particularly as regards your cha-
"racter as medical superintendent, and likewise as regards your sobriety on a particular
"evening in May 1822, namely, the 19th of that month. I am extremely sorry, that very
"urgent business obliges me to go into the country, and I set off to-morrow morning
"early, but shall be in town again late on Monday evening, for I am most desirous
"to bear my testimony to your character in every sense, and the more particularly so on
"the present occasion, for I called you in to my boy Benjamin, on the 6th of May 1822,
"who continued to get worse and worse for more than a fortnight, the favourable change
"only taking place the end of that month. I recollect most positively, that between
"the 16th and 28th of May 1822, when my child was at the worst, you never ceased, within
"that period, to visit him between four and six times in the twenty-four hours, without the
"intermission of any day, and that you invariably saw him twice between your dinner hour
"and twelve o'clock at night; your being so near a neighbour rendered those attentions on
"your part the more easy, and our extreme anxiety for the life of our child having deeply
"impressed them upon our recollections. You may well believe that if ever I had seen
"you in the smallest degree overtaken with wine, you should never have had the charge of
"the life of my child, or of my whole family since. To the above I am ready to bear my
"testimony on my return, but in the mean while I think it due to you to write this letter,
"and to say, that my brother-in-law, Mr. Fownes, who was residing with me during
"the period alluded to last year, will be in attendance at the House of Commons, both to
"confirm this statement of mine, and my hand-writing, if necessary. I am, dear Sir, very
"sincerely, yours, Samuel Turner. To A. C. Hutchison, esquire."

"Against this mass of evidence, direct and circumstantial, is to be balanced the single point of the warm bath, which is said to have been prescribed by me for Mary Turner, and then countermanded. Upon this point, I can only repeat, that however the nurses, or Mr. Bennett, may have understood my prescription, both my reason and my recollection suggest to me the impossibility of having ordered a bath for the child; I remember perfectly well, ordering a bath for some one, and that this order was attempted to be evaded by a frivolous objection of there being no steam to warm the boiler, which excuse I put down at once, by ordering the kettles to be placed on the fire to prepare warm water; but as I should not certainly myself have pursued such a line of practice in the case of Mary Turner, I never can attribute the idea of the bath being ordered for her, to any other cause than some inexplicable confusion, which at this distance of time it is impossible to account for.

"The only other point to which my time will admit of adverting, is my indignant denial of the charges when they were first preferred, and my earnest and vehement request for a public investigation. Why I desisted at last from pressing that measure, has been amply detailed in the evidence. Mr. Courtenay has declared, that my last letter of the 17th June

Dr. Hutchison.

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1822, was, he was fully conscious, written under a firm persuasion that all and every part of the accusation against me, had been utterly disbelieved by the managing committee; and he also candidly admits, that Mr. Bootle Wilbraham's answer suffered me to remain under that impression.

"In that letter, I stated that the communication of *such disbelief*, through the medium of Dr. Granville (who was employed by the *committee*, and not by *me*, for that purpose,) had not only relieved my mind from an infinite degree of anxiety, but impressed me with sentiments of gratitude to the members of the committee, for their friendly and most kind demeanor towards me. By which words, as is evident from the whole tenor of the letter, it is clear that I meant gratitude for the pains which the committee had taken to soothe my irritated feelings, in declaring so unequivocally their belief in my entire innocence of the charge; in which meaning, it stands recorded, the committee immediately acquiesced.

But the committee in their minute of the 17th May ultimo, which is on the table, state, that "when Dr. Hutchison was first made acquainted with the charge, he appealed to "some of his *private friends* to come forward in support of his character; but when those "friends had seen and communicated with some of the members of the committee, they "were satisfied that Dr. Hutchison had been most kindly dealt with, and by their advice "and persuasion, he wrote a letter to the committee, expressing sentiments of the highest "gratitude for their very friendly and most kind demeanor towards him."

"I beg to appeal to this honourable Committee, whether this paragraph, which suppresses the fact of Dr. Granville's being sent for by the committee;—which asserts that some of my private friends to whom I had appealed in support of my character, had communicated with the members of the committee, thereby implying that I had sent them to intercede for me, whereas no one but Dr. Granville had any such communication, and this not at my request, but at the request of the committee;—which lastly asserts, that those friends who had so communicated with the committee, persuaded me to write a letter, expressing "sentiments of the highest gratitude to the members, for their friendly and most kind "demeanor towards me;" manifestly thereby implying, that the intercession of friends, my own contrition, and a deep sense which I had of the forbearance of the committee, had prevailed on the latter to drop further proceedings;—whether all this has not, to an ordinary reader, the appearance of a most cruel perversion of the fair meaning and purport of the correspondence, which I am satisfied the members of the managing committee, as honourable men, were very far from intending, and I trust that their own sense of fairness and upright dealing, will now, on further consideration, induce them not only to cancel so unjust a statement, but by a double portion of candour and liberality, in viewing all the circumstances of this distressing and painful investigation, as far as it concerns me, indemnify me in some measure for the injury which it may have already done me, in the minds of those who may have hastily perused it.

"I now beg to leave my case in the hands of this honourable Committee, confident that their decision on this part of the investigation, in which all that is dear to me is involved, will be such as is to be expected from the high sense of justice and candour which they have shown throughout the inquiry."

Sir Astley Cooper, Bart. called in; and Examined.

*Sir
Astley Cooper,
Bart.*

HAVE you long known Dr. Hutchison?—Eleven years I have known him.

Do you belong to any philosophical or medical society of which he was a member?—I was president of the Medical and Chirurgical Society at which he was a very constant attendant.

That meets in the evening?—Yes, at nine o'clock.

Is it the practice of the society to discuss medical subjects as well as read medical papers?—That is the business of the society.

Did you ever see Dr. Hutchison in a state of ebriety?—Never.

Did you ever see him what you would consider in the least approaching to it?—Never; and I may add, that if I had I should not have been acquainted with him at all at any future period.

Was he accustomed to take a part in those discussions?—He was.

Did you ever hear that any one entertained such a notion amongst those accustomed to see him in that society?—Never.

Not a suspicion upon their minds?—Not the least.

Is your sense of smell good?—I should almost hope that it is not; but I believe it is as good as most other persons.

Did he ever smell of wine to you?—Never.

Are you acquainted with him at all in his domestic habits?—I have seen him in his family; I had an occasion for attendance upon his family of considerable duration.

Have you ever dined in his company?—I do not think I have; I believe I have once, but I quitted soon after dinner.

Generally as to his professional character, what is your opinion?—I should say, generally, I consider Dr. Hutchison an extremely zealous man in his profession, possessing

possessing a very very considerable share of science in it, anxious to perform his duty well, and certainly having acquired a degree of knowledge that enables him to perform it in the best possible manner.

Have you ever observed any great irritability of temper about him, which would incapacitate him from the exercise of his profession?—Never.

As far as you know, he is gentle and kind?—Certainly, as far as I have seen him, he is gentle and kind.

Do you wish to state any thing further about him?—No, I have said every thing I feel, and every thing I know.

[The following letter was delivered in by Dr. Hutchison, and read:]

“ Dear Sir,

Iver Grove, 21 June 1823.

Dr. Hutchison.

“ I shall be ready to come to town at any time that it may be required, and shall have great pleasure in giving my testimony to your respectable character before the Committee of the House of Commons, if you should feel it necessary to call upon me to do so. It was with very great concern that I heard you had been dismissed from the office you held in the Penitentiary, in consequence of some complaints that had been made against you; but it is very satisfactory to me to find that the matter is under the consideration of a Committee; I hope the matter will be sifted to the bottom, for I have not the least doubt that the more your character and conduct are inquired into, the more satisfactory will be the result of such inquiry to yourself and to your friends, and I trust that the charges that have been made against you will be proved to be totally unfounded; I shall be ready and glad to declare my opinion of your great skill in your profession, and my full approbation of your good conduct from the time when I gave you your first appointment as a surgeon in the navy, in which I am persuaded that every person who has the pleasure of knowing you would fully coincide. I think you may with great credit and advantage to yourself, make reference to the Admiralty Office, and to the records of the Medical Board of the Navy (the late Transport Board) for ample proof of your skill and prudent conduct in the course of your zealous services in the navy, and particularly in that very important station in the Naval Hospital at Deal.

“ I remain, dear Sir, your sincere friend,

“ Gambier.”

George P. Holford, Esq. a Member of the Committee, made the following Statement, in continuation of his Evidence taken the 20th June.

I CONSIDER the best means of crushing a system of malicious tale-bearing, to be prompt inquiry; for any temptation to make false tales, is most effectually taken away by the certainty of immediate investigation. As Mr. Morton Pitt has stated what he conceives to be the error of my conduct at the Penitentiary, I shall, with unfeigned respect for him, mention the point in which he appears to me to err. I think Mr. Pitt is much too reluctant to admit evidence of the misconduct of those of whom he has once formed a good opinion, and whom he has recommended; and I think the statements of some of the officers of the Penitentiary, who have been dismissed or compelled to resign, have made a much deeper impression on his mind than the communication he has had with the members of the committee, or even the records of the committee themselves. I have shown to this Committee, by papers delivered in, that Mr. Hatch was not dismissed from his office of steward, as Mr. Pitt supposed, from not having immediately been able to make up a clear account, after his accounts had long been suffered to be in arrear, but for having borrowed money of some of the tradesmen of the establishment, and having endeavoured to borrow money from others who refused to lend it to him. Mr. Pitt has represented Mrs. Chambers as having resigned, in consequence of a charge of having given her daughter a bible, which though she received it from the hands of the chaplain, she thought she might dispose of, and of having used a small quantity of thread belonging to the establishment, of a value not exceeding 2s. in work done for herself, which thread she afterwards replaced. I desire the Committee to have read, the Examinations of the witnesses taken before the committee of the Penitentiary on the 3d of February 1817, in respect to Mrs. Chambers, premising only, that the female officers examined on that occasion, were all recommended by Mrs. Chambers, and were unwilling witnesses in any transaction which could affect her place or character.

George P. Holford,
Esq.

William Morton Pitt, Esq. delivered in the following Statement:

I TRUST the Committee in general, and my honourable friend Mr. Holford in particular, are fully persuaded, that I am incapable of a wish, in any degree, either in my letters or in my evidence, to impute to Mr. Holford any improper or unworthy intention. I have endeavoured to represent the mode of seeking after and pro-

William M. Pitt,
Esq.

William M. Pitt,
Esq.

(June 24-)

curing information, which has for several years appeared to me to have been pursued by Mr. Holford, as having, in point of fact, and to my conviction, had the effect of inviting and encouraging complaints tending to produce the evils alluded to. I think a fair distinction may be drawn between a readiness to hear the complaints of prisoners and others if preferred, and to endeavour to redress the grievances so complained of by reporting them or otherwise, and the inquiry, or search after complaints, and the virtual invitation to complain held out to such persons, and it is to that practice, which I conceive to have existed, that I have ventured to object.

I am not aware, that in that part of my evidence which relates to Mrs. Chambers, I have introduced one word of charge against Mr. Holford. I have declared my unchanged opinion of the innocence of Mrs. Chambers; that I considered at the time, and still do consider her dismissal as undeserved; and that the view taken of her case by a majority of the committee of the Penitentiary, was to me a matter of much surprise.

[*The Examinations were handed in, and read, as follows:*]

(Copy.)

"The Committee proceeded to the examination of the several witnesses; viz.

"Burne (a prisoner) deposed, that she was formerly employed in the laundry, but lately removed; when in the laundry, mangling was done for the matron and turnkeys, but not for any other person; does not believe that sheets were washed.

"Jane Dockerell (a prisoner) has been in the laundry recently; during which time mangling was done for the matron and Mrs. Croome.

"Caroline Goodwin (a prisoner) came from Newgate and was employed in the laundry from her coming into the Penitentiary for three months, when she was removed on account of ill health; was away about three months, and has since returned to the laundry; when employed there, mangling was done for the matron, steward, and master manufacturer, and remembers two gowns being mangled for the master manufacturer's wife.

Sarah Stone (a prisoner) has been in the laundry for about a fortnight; never washed for any of the officers, but has mangled pantaloons, gowns, and small things for the master manufacturer and his wife; table cloths and towels for the steward, and table linen, &c. for the matron.

"Mary Freeman (a prisoner) was near six months in the wash-house and laundry, during which time mangling was done for the matron, steward and master manufacturer; never heard any swearing among the prisoners employed in the wash-house, or any indecent or immoral conversation.

"Mary O'Brien (a prisoner) employed in the laundry; never washed for any of the officers; but mangling has been done for the master manufacturer, and for the governor a trifling article has been mangled; never heard any swearing or oaths among the prisoners employed in the laundry or wash-house, or any indecent language".

"The Committee proceeded to examine as to work executed in the prison, which had not been charged or accounted for to the establishment.

"Mrs. Clarke (one of the turnkeys) attended; she deposed,—That mangling was regularly done weekly for the matron, steward, and master manufacturer; and that in one instance, two or three dresses were done for the Miss Shearmans, (the governor's daughters) which was brought to her by the governor's servant boy; that a counterpane had been washed by the matron, and also a frill made; and that the wardswomen after they had completed their day's work, had occasionally mended stockings and trifling articles for herself (Mrs. Clarke.)

"Mrs. Todd (a female turnkey) stated, that in her division,—One shirt had been made for J. Strangeways, the porter at the inner lodge; and that some trifling articles had been done for herself; that four bodies for petticoats had been made in her division for Mrs. Chambers, which she received intimation were not to be charged; that one pair of stays were also made for Mrs. Croome (another female turnkey) which when brought, it was intimated that the matron did not think it was necessary should be charged, and they were not; that two pair of stays were also made for Miss Chambers, and ordered not to be charged; and that a small pair of stays for the steward's daughter was also given to be made by Mrs. Smith, the taskmistress, which was not charged; that a prisoner (a Welsh woman) having knitted her (Mrs. Todd) a pair of mittens from the worsted of the establishment, she directed her to knit another pair, which she presented to the matron, and which were not charged; the prisoner being employed at her leisure time for this purpose.

"Mrs. Wilkinson stated, that bed furniture, pocket handkerchiefs, and other articles had been done by the prisoners in her division for the matron, and which the matron told her was not to be charged, and that she had received from Mrs. Smith, the task-mistress, a pin-cloth, petticoat, and small articles for the steward's child, which were not charged, as well as some stockings from Mrs. Smith to be mended.

"Mrs. Evans (a female turnkey) stated, that some bed furniture had been frilled and bound for the matron, as well as frills trimmed, and also a gown made up; that the bed-furniture was given by the matron to the prisoners in Mrs. Evans's absence, and on her communication with the task-mistress as to its being sent, she appeared to be fully acquainted with

with it, and intimated that it was not to be charged. That Mrs. Evans had occasionally employed Martha Burgess to mend her stockings.

" Mrs. Croom (another female turnkey) stated, that the only work she received from the matron and Mrs. Smith, to be done without being charged, was two night gowns, which were only partly done, the prisoners being removed to other work. That being in want of a pair of stays, and a prisoner in Mrs. Todd's division being used to that work, she applied to the matron if she might have a pair made without being charged, and having received her permission, she sent the materials to Mrs. Todd, and they were made up without charge. That her sister slept one night in the round tower, with the permission of the governor. That on Mrs. Bennett sending to know if there was any pattern of satin-stitch work in the prison, she returned an answer dictated to her by the task-mistress, and which she believed to be correct, as she was obliged to return some work of that description undone, there being so few prisoners capable of doing it.

" That she has regularly baked for the matron, governor, steward, and master-manufacturer, and twice for the chaplain; and that very frequently she herself has brought the meat so baked from the kitchen to the respective officers. That she has frequently given the wash to the master-manufacturer's man, but has carried it outside the iron gate of the airing-ground, and never permitted the man to come inside the door of the prison. That herself, Mrs. Wilkinson, and Mrs. Evans generally dine together, in the small room which she, Mrs. Croom, occupies as a work-room; and that Mrs. Todd and Mrs. Clarke generally dine together in one of their rooms.

" Mrs. Smith, the task-mistress, examined; she stated,—That the work is generally brought to her by the persons requiring it to be done. That part of a bed and two pair of stays had been made in the prison for the matron, who acquainted her they were not to be charged. That a mattress had been made for the matron, which she intended to have paid for, but on tendering the money to the master-manufacturer he declined receiving it. The mattress was made about a fortnight since, but the money was not tendered until Saturday evening last. Was acquainted that baking and mangling was done for the respective officers. That work had been sent by a Mrs. Furnley to be done at a price named by herself, which Mrs. Smith considered so low that she declined executing it, and communicated her determination to the master-manufacturer, who, at her desire, had written to Mr. Furnley on the subject. That she never received from the matron a list of prices for work, which were submitted to the committee. She saw the list in the matron's room, and agreed thereto, but having since considered them so high as to prevent being fully employed in work, she had reduced some of them, with the matron's concurrence. She remembers a conversation with Mr. Holford, relative to the turnkeys dining in their own rooms, and his recommendation that they should not do so, without applying to and obtaining the leave of the committee, which she communicated to the matron and turnkeys, but notwithstanding, in bad weather, the turnkeys did dine in their own rooms.

" Mrs. Croom did not report to her on Saturday last, that the meat was not received until within half an hour when it should have been ready for delivery to the prisoners. That the threads from Mrs. Baset were delivered to the matron, but that since the subsequent arrangement was agreed upon, the whole had been sent to Mr. Webb.

" The matron was examined, who stated,—That mangling had been done by the prisoners for herself and several of the officers, although she cannot speak to the extent, but considered she was not infringing on the rules; she never mentioned the subject to a visitor, nor had the governor ever any conversation with her relative thereto. Baking has been done generally for the officers, but the governor's baking is principally for his children at an early hour. That Mr. Morton Pitt told her, that she might bake her meat there, and she understood there was no objection to any of the officers having their meat baked. That she delivered to Mrs. Smith a copy of the list of prices for work approved of by the committee, and she believes those prices are now received. Mrs. Smith prices the articles and receives the money, and hands it over to Mr. Webb. That this practice has been adopted for convenience, Mr. Webb not being in the way frequently when persons come to pay for the work.

" The Committee proceeded to examine the matron on the subject of the work which had been done, and not charged in the books of the establishment.

" The matron stated, that she had made in the prison,—4 bodies for petticoats, 2 pair of stays, strips of muslin at different times hemmed, stockings occasionally mended by Martha Burgess, a petticoat cut up to make aprons, 4 night gowns, 8 pocket handkerchiefs, 4 pair of pockets, and part of a bed furniture.

" The matron considered, that in order to keep the prisoners continually at work, she was at liberty to employ the prisoners in making up any thing for herself; that she never consulted a visitor on this point, nor did she consider it necessary to do, and positively states, that in giving this work to be done, she never stated that it was not to be charged; never told Mrs. Croom that she might be allowed to have a pair of stays made, and that the bed furniture was made in Mrs. Wilkinson's and Mrs. Evans's division.

" The turnkeys dine in their own room in bad weather, but do not do so generally; never named this circumstance to a visitor, or consulted him thereon; Mrs. Smith never told her that the visitor had particularly desired that this might not be done without obtaining the consent of the committee.

" That in ordering the threads, &c. from Mr. Baset, she did so with a view of procuring them cheaper and better; that Mr. Bell, on viewing, considered them of an inferior quality, although

although she did not; that the supplies had since been received from Bell and Parker, she did not know at what price, and that since the visitor had directed all these articles should be sent to the master manufacturer, they had been so done.

"That Mrs. Croom informed her on Saturday last, about half-past eleven o'clock, that the meat had not arrived; that Mrs. Croom's sister had slept in the round tower, but that she had not inserted the circumstance in her journal, it having escaped her memory.

"The governor attended and stated, that upon discovering that mangling was done in the prison, he had conversed and called the attention to the matron respecting it, expressing his opinion that it was incorrect, but that such conversation took place very recently."

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By whom was Mrs. Chambers recommended?—By Mr. Morton Pitt; and when she was introduced, I thought her a very fit person; Mr. Pitt had known her many years.

You do not know in what capacity she had been?—I have some faint notion she had kept a school; and I think she gave up that to come to the Penitentiary.

Mr. Shearman, the first governor of the Penitentiary has stated to this Committee as one of the reasons for his resignation, that the visitors gave orders in the prison which, he thought, ought to come through him; and that he is not aware that there had been any complaint against him before the time of his resignation. Mr. Shearman entered on the duties of his office of governor of the Penitentiary on the 1st of May 1816; the first prisoners that came in were females, and they were received on the 27th of June, in that year; there were no male prisoners in the prison until the 10th of February 1817. Mr. Shearman has stated that he does not recollect the fact of any visitor ever giving an order in writing. Now, it happens that in the visitor's book I find the following entry made by me on the 11th of February, the day after the male prisoners were received, "I directed, by a written order, that the turnkeys should take their meals in the task-master's tower." Mr. Shearman, on being asked, whether he recollects a conversation to the following purport, between him and me, viz. "that he said to me once, that the officers in the prison often told him, that they had their orders from Mr. Holford, and that he hoped Mr. Holford would not consider him acting improperly if, in answer to such statements, he said he had heard nothing of it from Mr. Holford, and would pay no regard to what they said upon such subjects; and that Mr. Holford's answer was, that he would do perfectly right, for that he, Mr. Holford, never gave orders but in writing, nor to any person but the governor himself, nor had power so to do." Mr. Shearman said "he recollected nothing of the kind." I beg to state positively, that such a conversation did take place; and I perfectly recollect the part of the prison in which it took place. Mr. Shearman has stated that no complaints were ever made against him till the month of April 1817, in which he resigned. I beg leave to give in to the Committee certain Extracts from the visitors' book, during the time I was visitor; the first of these is on the 18th of February 1817.

[The same was handed in, and read, as follows:]

"1817, February 18th.—Came at half-past nine, having understood from the governor, that 16 male prisoners were expected from Newgate at ten. They are not now arrived (half-past eleven); and it will be fortunate if they should not come in to-day. When I came this morning, there was not a table or a stool in any working cell; and one of those cells, where the prisoners were to be placed, in which the workmen had some time since kept coals, was in the dirty state in which it had been left by them; not a single bed had been aired. The bedding is now carried into pentagon, N° 1, and put before the stoves in the passages. The steward told me, that he knew nothing of any male prisoners being expected; he says no meat has been ordered on their account, but that he has enough, all but about two pounds. If sixteen male prisoners can be supplied, without notice, within two pounds, the quantity of meat sent in cannot be very accurate. I met Mr. Pratt on Milbank at half-past ten; he also said, that he did not know that prisoners were expected. This is very extraordinary, for it was settled long since, that the second detachment of prisoners were to come in a week after the first; and the governor had, I know, communicated to the patrols and turnkeys, that they were expected on this day. There are no stockings fit for boys in store. The messenger is just gone to Mr. Dixon's, on that subject."

Mr. Holford.—Mr. Shearman has also stated, that he does not remember my complaining that he knew but little of what was going on in the prison; and my asking about the bells rung in the prison, concerning which he gave a different account from that given by the porter; he has stated, in answer to that question, that he does not recollect any conversation about the bells. I desire to deliver in an entry from my visitors' book upon that subject, and also some other entries from the same book.

[The same were handed in, and read, as follows:]

Extract from the visitor, Mr. Holford's journal:—" 1817, March 10.—Came at half past nine. Considered arrangements in the chapel, with Mr. Bennett and Mr. Thoms, and went away a little after twelve. Came again at half past four; during my absence, a prisoner named Hake, arrived from Exeter. Mr. Webb being gone to Mr. Dixon's, and the governor being also out, Mr. Bennett was applied to for directions concerning him, but the governor came in before arrangements for his reception were completed. On going round pentagon 2, a little after five, I observed the prisoners in Clark's division, receiving their gruel in their day-cells, (which he said they always did) while those in Laban's and Savage's divisions, were coming out of their day-cells to go into their night-cells. On inquiry, whether the bell had been rung for leaving off work, I was told that no such bell rung; on questioning the porter at the inner gate, I found that this assertion was correct. The governor, who came up while I was conversing upon this subject with the porter, said, (in answer to my inquiries concerning the omission) that the bell alluded to (the ninth, or evening bell, in the rules) was regularly rung; the porter, however, persisted in stating, that he did not ring it; on which the governor observed, that it ought to be rung, and he always supposed that it was rung. I found also, on questioning the porter, that the second bell, for going to work, was frequently omitted. Left the prison between 6 and 7.

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" 11th.—Came at half-past nine; went round both pentagons, previous to assembling the prisoners to attend the consecration of the chapel. I find that the prison was left yesterday evening without any superior officer except Mr. Bennett, under the following circumstances: the governor told me about 6 in the evening, that he was sorry that Mr. Webb was not returned from the city, because he himself wished very much to go out upon private business. I observed, that of course he could not leave the prison in the absence of Mr. Webb; in which observation he appeared to acquiesce; but as soon as I went away, both he and the steward went out.

" 12th.—Came at half-past ten; went round part of each pentagon. The doors leading from the pentagons into the area in front of the hexagon, are not kept double-locked, as they ought to be. I found two workmen employed in altering a door; and the two prisoners employed in the kitchen together, without a turnkey. Went away half-past 12.

" 13th.—Came at ten o'clock. Mr. Webb informed me, that he has reported to the governor, that during his absence yesterday evening, the female prisoners were noisy, and the patrols off their duty. This will probably appear in the governor's journal. Went round pentagon N° 2; on questioning the male prisoners respecting their food, I was told by several, that they did not believe that they received their full allowance, either of meat or potatoes; some did not know what their allowance was, the dietary not having been fixed up, but said, the quantity received, particularly of potatoes, was very different on different days. Left the prison at 12; I returned to the prison before one; took the governor with me into pentagon N° 2; waited there until the dinners were brought in, and had the meat and the potatoes in each mess in Laban's and Savage's divisions, weighed by the governor in my presence; those in Clark's being weighed at the same time by the master manufacturer. The meat was in all instances full weight, in some it was over weight; the potatoes were deficient as follows:—

			lb.	oz.
In Laban's division, in	- - -	16 messes, deficiency	- - -	3 5
In Clark's - - d°	- - -	10 „ - - d°	- - -	2 4
In Savage's - d°	- - -	11 „ - - d°	- - -	4 15

Being a deficiency, in - - 37 messes, of - - - - 10 8

or more than $4\frac{1}{2}$ ounces in each mess; but the deficiency was unequal in different messes, being in one as much as 7 ounces out of 16. I find the potatoes are not weighed, but put into cans by guess; and Mr. Hatch says, that he considered the quantity allowed to be one pound before boiling. It was known in the kitchen before the dinner was distributed, that the prisoners had complained of their not having their due weight; and this may probably have been the reason of the meat being full weight. I found that there were two messes wanting in the kitchen.

" 14th.—Came about 11; went into pentagon N° 2; found that the prisoners in Clark's and Savage's divisions did not receive any addition to their potatoes yesterday, in lieu of the deficiency which had appeared in weighing their rations. Laban had been supplied with the amount of what had been wanting. Left the prison about 7 o'clock."

" Extract from Visitor's (Mr. Holford) Journal.

" 1817, March 20.—It having been agreed, on Friday last, to speak to the governor when the committee should next meet, on the subject of his frequent absences from the prison, and on the omission to ring the bell for leaving off work, mentioned in the preceding entry of this book on the 10th of this month, I think it right to suggest the propriety of looking at the same time into the state of the governor's books, and of inquiring whether the clothes with which the prisoners come into the prison have been sold, and the produce regularly entered in his account.

" 29th.—Came at 10. There are in the bathing-room, in the lodge, several bundles of clothes belonging to male prisoners, who have come in between the 1st and 21st of this month; they are exactly in the state in which they were when the subject was mentioned at the committee last week; some of them are thrown into a dirty part of the room, whether intended to be burned I do not know; the porter thinks they are not. I do not believe that any of the female prisoners things have been yet sold; I understand, from the governor, that

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he has not yet made any entry in the character book concerning the behaviour of any male prisoner since he came into the prison, or relative to any occurrence connected with any such prisoner."

Mr. Holford.—I ceased to be visitor in that year on the 31st of March; I now deliver in the various proceedings at the different committees that took place on the subject of the governor's conduct, previous to his resignation.

[*The same were handed in, and read, as follow:*]

" AT a Meeting of the Superintending Committee, held 22d March 1817.

" Present:

The Right honourable Sir A. Macdonald, bart. in the chair.

The Right honourable Charles Bathurst.

George Holford, esq.

The Right honourable Charles Long.

William Mellish, esq.

Sir Charles Edmonstone, bart.

The Reverend Archdeacon Pott.

John Fane, esq.

The Reverend Archdeacon Cambridge.

William Morton Pitt, esq.

" The visitor's minutes were read; and the visitor (Mr. Holford) called the attention of the committee to several points connected with the governor's duties as to the discipline of the prison, in which there appeared great relaxation. Resolved, That the governor do attend the committee, and be requested to explain the cause thereof. The governor attended and stated, that the cause for not disposing of the prisoners' clothing arose, in some measure, from a doubt existing in his mind whether he was empowered to sell the clothes which many of the prisoners brought with them, in addition to those they actually wore, but that he was preparing for their disposition, with the assistance of Mrs. Wilkinson, and he requested permission to dispose of about a dozen lots at a time. It appearing to the committee that the absence of the governor from the prison was very frequent, which occasioned great relaxation in the discipline of the prison; the chairman acquainted the governor that it was necessary some alteration should take place in this respect; the governor explained the cause of his absence, and expressed an apprehension that (for the present) he could not curtail those absences, many of them being indispensably necessary, from pecuniary circumstances and professional engagements, where his attention could not possibly be dispensed with, and intimated his intention of resigning the appointment.

" Resolved,—That the governor do maturely consider, and submit to the committee at their next meeting, in writing, any observations he has to make on this point."

" AT a Meeting of the Superintending Committee, held 29th March 1817.

" Present:

The Right honourable Sir A. Macdonald, bart. in the chair.

The Right honourable Charles Bathurst.

E. Bootle Wilbraham, esq.

The Right honourable Charles Long.

George P. Holford, esq.

Sir Charles Edmonstone, bart.

The Reverend Archdeacon Pott.

John Fane, esq.

The Reverend Archdeacon Cambridge.

William Morton Pitt, esq.

" The governor, on being called on by the committee for the statement in writing, which he had undertaken at the last meeting to prepare for their consideration, presented a letter, stating that the multiplicity of business in which he had this week been engaged in the execution of his duty, had prevented his being able to prepare the paper alluded to, and that he was under the necessity of soliciting the indulgence of the committee until the next meeting; but it appearing from the visitor's minutes, that the directions given when the committee last met, for disposing of the prisoners' clothing, and completing the male prisoners' character book, had not been carried into effect, the committee ordered his attendance. The governor attended and stated, that both the measures directed were in a progressive state of completion, and should be forthwith carried into effect, and that his time had been much occupied by the increase of workmen in the different parts of the prison, which required his continual attention and superintendence; the governor also stated his inability (from a desire to consult his particular friends) to prepare his remarks by Monday next. It was resolved,—That the committee do meet on Friday the eighteenth of April, and that it be specially notified to the governor that his report must be submitted to the committee on that day."

" AT a Meeting of the Committee, held the 18th April 1817.

" Present:

Sir Benjamin Hobhouse, bart. in the chair.

The Right honourable Charles Bathurst.

George Holford, esq.

Sir Charles Edmonstone, bart.

Edward Bootle Wilbraham, esq.

William Morton Pitt, esq.

The Rev. Archdeacon Pott.

" The minutes of the last meeting were read, and confirmed.

" The governor (in pursuance of the directions of the committee at the last meeting) submitted a letter, explanatory of the circumstances which led to his accepting the appointment. (see Letter.)

" To

" To the Committee of the General Penitentiary, Milbank.

George P. Holford,
Esq.

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" Gentlemen,

" It is now about a year and a half since I was first sent for to know whether I was inclined to fill the office of governor of this establishment, if such a situation could be obtained for me; prior to this period, such an employment had never entered my mind, and I then held a situation under the noble lord at the head of the Home Department, as clerk at the Public Office in Hatton Garden, and was in possession of a respectable and lucrative practice in my profession, the result of 20 years exertion, and lived happily and comfortably with my family, surrounded by many friends much above the common class of society; but finding that I had unsolicitedly been selected as a fit and proper person to execute so important a trust, for no other reason than that nobleman's own appreciation of my humble talents from what he had seen and heard of me, I felt an indescribable glow of gratitude, which prompted me instantly to say that I was ready and willing to exert myself in any situation of life, consistent with the welfare of my family, where I might be found most usefully employed for the benefit of the public. I then perused the Penitentiary Act with attention, and finding that the office of governor was in effect an appointment for life (with the exception of fraud or gross negligence) I made up my mind to be one of the candidates for the situation, and ultimately, through the favourable consideration of the committee, was successful; I could make no disposition whatever respecting my business, until I had obtained this point, but as soon as it became certain, I made immediate arrangements for quitting the profession of the law for ever, and was, with hurry and confusion in my affairs, in a very short time sent on a journey of 1,000 miles by the committee, to visit various prisons, and upon my return removed into this building, where I have ever since remained performing my duty to the best of my power and ability, with an anxious desire to give satisfaction to every member of the committee. In what I am about to say, I am extremely anxious that no expression may escape me in the slightest degree appearing to convey censure or give offence, either to the committee or any of its members; and although I have not so much vanity to suppose that my praise is of any importance to gentlemen ranking so high in life, it will afford me pleasure in bearing my humble testimony to the purity of their intentions in all they do; their industrious care to keep due order and discipline within these walls, and to promote the welfare of this most laudable institution; but I cannot conceal from the committee, that for the last two months I have been very unhappy, partly arising from an apprehension that, without being conscious of having done any thing to merit it, I had lost the good opinion of one of the most zealous members of the committee, whose favourable sentiments I have been most earnest to retain, and from finding that the salary as governor, at present, is not sufficient, with the strictest economy, to maintain and bring up so large a family; with respect to the first part, there has been a want of communication in matters of detail, connected with the discipline of the prison, during Mr. Holford's late visitation, which has given me no small share of inquietude; I had hoped, that all the orders of the respective visitors would have been executed by the inferior officers through my immediate agency, feeling convinced that is the best mode of supporting my authority over them; I flatter myself I possess the secret of managing them without being tyrannical, so as to induce a prompt and willing discharge of their several duties, and at the same time producing in them respect, esteem, and attachment to my person, and from such feeling towards me, to stand by and support me in danger and peril, should any commotion arise, until the tumult shall be quelled and the offenders reduced to obedience and submission. I hope I have not been led by my feelings to say too much on this occasion, and that I shall not incur the displeasure of the committee, or any individual composing it, by stating these sentiments. With respect to my absences, I trust I have shown, in the preceding part of this communication, that I have not, since my appointment, had much opportunity of attending to the arrangement of my professional concerns, or to the getting in of my outstanding debts. I have carefully gone through my journal, and find that I have, in the course of 40 weeks, been absent 60 times, which, upon an average, is not more than $1\frac{1}{2}$ per week; some few of these absences have been on three and four successive days, but I have not been able to find any instance of my being out seven days in succession. I have, in this calculation, excluded those days on which I have been away on the business of the establishment, but I have included many absences of not more than two hours duration; I solemnly assure the committee, that I have never purposely omitted to state when I have gone out, and those who have known me intimately, would pledge themselves that I am above practising so contemptible an artifice. I trust, therefore, that the committee, on further consideration, will not think I have exercised an unsound discretion in availing myself of the privilege given me by the rules and regulations, which from the first I have considered, and I trust not erroneously, as part of the contract entered into between myself, the committee, and the public. I have never, but in two instances, failed to comply with the conditions mentioned in the rules applicable to this subject, the one, when the master manufacturer was out of town for a few days, with the outer porter at Mr. Hatsell's country-house; the other, an absence for less than two hours, on a matter of great emergency, the master manufacturer not returning according to his promise. On the subject of the salary, I beg leave respectfully to state, that when I first seriously thought of this situation, I was given to understand that the place, in point of emolument, would be much more considerable than what it turned out to be, and that in addition a house, coals and candles would be allowed; I also calculated on the privilege of having all our linen washed in the prison, and I was fortified in this idea, by finding there was not the slightest convenience thought of in this place for washing linen but in the prison, and that it was almost the universal practice at the several prisons I visited for the

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superior officer to have his washing so done ; besides which, when it was settled that three of the superior officers, namely, myself, chaplain and matron, were temporarily to be placed on one side of the hexagon, we were told, as was no doubt then intended, that another side of the hexagon would be finished before Michaelmas last, and by keeping good fires in the rooms during the winter, would be fit for habitation in this spring, and that two more pentagons would be built in the course of this year. The statement induced me to think that we might look for the increased salary on the completion of the building, about the latter end of the next year, and that by rigid economy much loss might be avoided ; but by the protraction in the progress of this building these hopes are fled, and experience has shown me the necessary expenses of my family (excluding all articles of luxury) already exceed my receipts by about 150*l.* ; even the single article of washing amounts to upwards of 70*l.* a year ; I am therefore placed in a most perilous situation. I have, knowing I could not be concerned in any other business than my duty here, for a trifling consideration, parted with my professional connections, by introducing another person to my clients. My situation at Hatton Garden office has long been filled up ; I have bound myself not to interfere with my former business, and I have let the house I formerly occupied. I know not what step to take for the best ; to remain here for years, with the consciousness that my pecuniary affairs must necessarily get worse and worse, and that should any accident happen to me, a numerous and virtuous family would be suddenly plunged into insurmountable difficulties, is equally painful and distressing. I have no objection, if the committee will be troubled with it, for their satisfaction to collect together and put on paper, a detailed account of all my expenses, by which the committee will find that I have not overcharged this statement. I have, with sentiments of respect ventured to lay these circumstances before the committee, in the hope that they may be pleased to take them into their serious consideration.

I am their faithful and obedient servant,

April 18, 1817.

(signed) *J. Shearman.*

" The committee, not being able to collect from the governor's letter the precise object of his application, requested his attendance. The governor attended, and stated that his object was to procure an increase of salary, without which it would be injurious to his family to remain. In answer to a question, whether, in the event of his salary not being increased, his explanation was to be considered as giving notice of his resignation ; he replied " Yes." He stated, that it would take him twelve months to collect in debts due to him ; he owed something considerable, but had assets to meet the demand. His name is nominally used by the gentleman who succeeded him in his profession, but he has no interest in the firm. His successor is to allow him an annuity for life, which depends and varies with the proceeds of the business, and is allowed to use his name for three years ; if the business produces a given sum, he is to receive 200*l.* per annum, but if it does not reach that sum, it is only to be 100*l.* per annum. The engagement for such an annuity cannot be given up without the consent of both parties. That he does not, nor ever did consider that the allowance made him by his successor, was a violation of the rule laid down as to a governor being directly or indirectly concerned in business ; but if it should be so considered, he would much rather accept the less allowance ; if he had erred in this respect, it was in judgment, and not intentionally. The governor, in reply to a question as to when his expectations were for receiving an increase of salary, replied, In the latter part of the year 1818, the amount to be regulated by the committee : Resolved, That it is the unanimous opinion of the committee, that the governor, by entering into an agreement, in permitting his name to be used in the firm of Shearman and Wylie (as solicitors) and receiving an allowance therefrom, varying in some degree with the profits of the concern, has transgressed the 28th rule, concerning the " duties of governor," which rule directs, that " he (the governor) shall not be concerned, either directly or indirectly, in any occupation or employment whatsoever, other than such as belongs to the duties of his office ;" and that a special meeting of the committee be summoned on Friday next, the 25th instant, to consider of ulterior measures thereon.

" The governor attended, and the chairman read to him the foregoing resolution."

" AT a Meeting of the Committee, held 25th April 1817.

" Present :

The Right honourable Sir A. Macdonald, bart. in the chair.

The Right honourable Charles Bathurst.

George Holford, esq.

Sir Benjamin Hobhouse, bart.

Charles Shaw Lefevre, esq.

Sir Charles Edmonstone, bart.

The Rev. Archdeacon Pott.

William Morton Pitt, esq.

The Rev. Archdeacon Cambridge.

E. B. Wilbraham, esq.

" A letter from the governor was read, stating his wish to resign his appointment.

" Resolved, That the resignation of the governor be accepted, and that measures be taken to fill up the vacancy."

Mr. Holford.—Mr. Thoms states his resignation to have been voluntary ; the fact however is, that Mr. Thoms resigned, because we expected that the office of secretary and examiner of accounts, should be executed in a very different manner from that in which it had been executed ; and I beg to hand in a paper, which

which I circulated among the members of the committee at the end of April 1820, upon the necessity of some change in the office which he held.

George P. Holford,
Esq.

(June 24.)

[The same was handed in, and read, as follows:]

"The following observations on the present state of the accounts of the Penitentiary, will I think convince the committee of the necessity of some additional arrangements upon that subject.

"Our accounts are divided into two great branches.

"Articles required for the use of the prison and the maintenance of the prisoners, go, of course, through the steward, who has also a petty cash account.

"The materials of manufacture and manufactured articles do not pass through his hands, but are in the charge of the master manufacturer, whose accounts are quite distinct from those of the steward; any articles made by the prisoners for the use of the prison are received by the steward from the master manufacturer as from any other tradesman, and the master manufacturer has his own petty cash account.

"All demands on the Penitentiary, except such as are paid out of these two imprests of petty cash, are discharged by drafts drawn in committee.

"Mr. Webb, our first master manufacturer, was a very thoughtless man, and very irregular in all his dealings and transactions; about two years ago, Mr. Becher undertook to look into the master manufacturer's mode of keeping accounts, and made such a report of their insufficiency, that Mr. Webb was removed from the situation of master manufacturer.

"Our accounts, however, did not get into a proper train after the appointment of our present master manufacturer, Mr. White; large quantities of leather, glass beads (which were made in the prison), &c. were found concealed, and this last branch of manufacture was at length discontinued, and the prisoner who understood the art of colouring glass beads was degraded to the first class, and employed as a tailor, for being concerned in an attempt to bribe a workman with a bead necklace to take out a letter.

"In regard to embezzlement in the Penitentiary, I must observe that the pecuniary loss arising from practices of this nature, are as nothing in comparison of the moral evil which they occasion, defeating the very end and object of our establishment, and corrupting and rendering still worse the prisoner, whom we profess to amend.

"Early in 1819, Mr. Auld, an experienced accountant, was employed by the committee to look into our manufacturing accounts.

"This gentleman has made two very elaborate reports, in the latter of which he has given a very complete view of our manufacturing concerns, for the year 1819, according to forms of account pointed out in his former report, of which the committee then approved.

"Upon these reports two questions arise:—

"1. What is to be done about the outstanding debts, which are not very large, but which must not be left to incumber our accounts for all time to come.

"2. How the accounts are to be kept in future; the first point may perhaps be got rid of, by directing our secretary to report upon each debt according to the best information he can procure, and the committee may then strike off such as are deemed desperate, and employ some person to collect the remainder.

"The second point is of more difficulty and importance.

"With our reports from Mr. Auld upon the table, and with our debt to him for his trouble (whatever it may be) undischarged, we are still almost four months in arrear as to our manufacturing accounts; the only accounts kept by Mr. White since December 1819, being those rough books which are the foundation of all the others.

"It is quite impossible for the master manufacturer to keep the accounts in the manner required; he has other duties to perform of a very extensive and complicated nature, and which are increasing with the growth of the manufactory; he purchases materials out of the prison; he is the storekeeper of all articles manufactured and unmanufactured, and he is liable at any time to have the whole conduct and management of the prison thrown upon him, whenever the governor may be absent or unwell. He had the charge of the prison for above a fortnight, I believe, during the last winter, in consequence of the illness of the governor.

"In considering, however, any arrangement that may seem called for by these circumstances, the committee will of course think it right to advert to the accounts of the steward. I am told that the steward is a complete accountant, and that nothing can be more clear than his accounts. From the statement, however, which I am going to make, the committee will see that these accounts furnish no sufficient security against fraud. A female prisoner having stated to me that she had been employed in cutting up beds, and making cushions of the hair contained in them, and had also packed up blankets to be sent privately out of the prison; I sought in the accounts for some means of disproving this assertion; according to the statements of the matron and Mrs. Wilkinson as to the number of blankets with which Mrs. _____ set out, when she was made taskmistress in June last, and the accounts furnished to me by the stewards of what has since been issued and ventured into store; the number now in the 3d pentagon should be 575; it is by a survey, 627, being 52 more than it ought to be, or could be, if the accounts were true.

"From this statement nothing can be inferred, but that the accounts are not to be depended on; but there is this fact to be mentioned, in corroboration of the prisoner's statement, viz. that ten new blankets were found in Mrs. _____ bed room, when she left us (where they ought not to have been), although she had very recently demanded and received

George P. Holford,
Esq.

(June 24.)

received nine new blankets, as wanted for three prisoners expected, which nine blankets were left in her store room.

"That there has been great irregularity and waste, if not fraud, in the management of stores in this pentagon, I have no doubt from my own observation. I lately found seven shoes, and eight or nine rusty drinking cans, with other lumber, in a cell in ward E.; and I know that the manner in which the stores to be returned to the steward, were sent back, was very irregular. I have not called for any account of beds. I found one bed in the store room, which ought not to have been there; and it is a fact known in the prison, though the knowledge of it never reached the committee, that a bed was actually lost last summer. Being informed by a prisoner, who was pardoned above two years ago, and who has since been employed in the garden, that he had not received the whole of what had been voted by the committee to be paid to him on his discharge, I looked into the state of the book called, "*The Prisoners Account Book*," kept by the steward, containing on one side the debts of the prisoner to the establishment (for letters, breakage, &c.), and on the other side his credit (for money brought in per centage, &c.); this account should be closed when the prisoner goes away, the sum paid by order of the committee being added to the credit side; but several of the accounts were not done, nor did it appear on them what the prisoner had been ordered to receive. A minute, giving proper directions on this head, has since been made by the committee, which will prevent irregularities of this kind in future; and I therefore only mention the circumstance of the state in which I found this book, to show the necessity of a stricter investigation of the accounts than has hitherto taken place. I found that the prisoner alluded to had received, on his discharge, according to the account in this book, some money and some clothes, in part payment of 3*l.* 3*s.* ordered for him by the committee, nearly, but not quite to the value of what ought to have been paid to him. This transaction took place in Mr. Ryde's time, and the money was supposed to have been paid through him. I have inquired what kind of voucher was produced (when Mr. Ryde settled his account), for the money and clothes given to this prisoner; but the papers connected with Mr. Ryde's account, which was settled by Mr. Thoms, not being at the Penitentiary, the vouchers could not be referred to at the time, and the inquiry has not been resumed.

The necessity of employing Mr. Becher to look into the state of Mr. Webb's accounts, the reports of Mr. Auld, concerning Mr. White's accounts, and the facts which I have stated, connected with the accounts of the steward, will, I presume, convince the committee, that something more is wanted than is now done by Mr. Thoms, as examiner of accounts; but there is still another point connected with this subject, which I wish to bring under the consideration of the committee, I mean the importance of having the business of secretary and examiner of accounts or accountant done at the Penitentiary. At present, if any information is wanted by a member of the committee, of a nature to be furnished by the secretary, it can only be obtained by an application to Mr. Thoms, while the committee is sitting, or at his own house. I do not mean to impute to Mr. Thoms any want of courtesy, or of readiness to furnish information. I have once borrowed his key, to look at minutes kept in a box in the committee room; and he has more than once sent up the minute book to my house for my perusal; but this mode of obtaining information is irregular and inconvenient. If the secretary's business, and the business of accounts were done at the Penitentiary, there would be certain days or hours, during which any paper might be referred to, or question in this department answered; and it is by occasional references to papers or questions as they arise, rather than by making appointments to settle or look into any particular accounts, that a member of the committee can hope to become acquainted with the state of the pecuniary concerns of the establishment. The practice of doing the business of secretary out of the building leads to a very slovenly way of transacting it; the whole of the per centage to officers, instead of being paid to each of them by the secretary, is placed by him in the hands of the master manufacturer in the male prison, and in those of the matron, or deputy matron, in the third pentagon, and by them distributed among the officers entitled to it; but in this latter prison no payment, on account of per centage, has been directed by the committee for a long time, the per centage account for Christmas last not being yet made up, or now in progress; and there is a class of accounts not coming, I believe, at present, within the department of either steward or master manufacturer, consisting of repairs (such as carpenter's bill, locksmith's, &c.) and of some small payments ordered by the committee, which are considerably in arrear. While Mr. Ryde was governor, the mode taken to apprise him of such of the resolutions of the committee as were to be communicated to him, was by handing over to him the foul minutes of the committee, many of which are now in Mr. Couch's possession. Since that time the proper extracts are, I believe, in general given; but the governor has not of late had from Mr. Thoms the materials to form a correct copy of the rules. By a resolution, passed some time since, it was directed, that a printed copy of the rules should be interleaved; and that the alterations made in them from time to time should be noted, and signed by the secretary with his initials; such copy to lie on the table of the committee. This, however, has been omitted of late; and a copy of the amended rules, which I have obtained from Mr. Thoms, is very imperfect. I am convinced that neither Mr. nor Mr.

possessed a correct copy of the rules while they were visitors. April 20, 1820.

Mr. Holford.—To show that it was communicated to Mr. Thoms, by Sir Archibald Macdonald, that the committee did mean to make an alteration in the mode in which he conducted his business, I beg to hand in a letter from Mr. Thoms.

[The same was read, as follows:]

George P. Holford,
Esq.

(June 24.)

" Sir,

Great College-street, 7th June 1820.

" I beg respectfully to offer you my most sincere acknowledgments for the very kind and complimentary manner in which you was pleased to communicate to me, the determination of the superintending committee of the General Penitentiary, to impose upon their secretary a daily official attendance, and the examination of all the accounts in the respective departments.

" It is neither my province or intention to observe on this determination; but as the present state of the accounts is urged as the principal cause of these new regulations, I trust it will not be considered irrelevant, in my submitting a few observations thereon.

" It must be in the recollection of the committee, that I have repeatedly called their attention, not only to the unsatisfactory state in which these accounts have been kept, but also to the impracticability of any secretary or accountant to check them, from the irregularity and incapacity of the sub-accountants.

" Much stress has been laid on the steward's accounts, which have been more methodically kept, both as respects the signature of the officers in the waste book, and the inconsistent results as to the surplus and deficiencies. In respect to the first cause, although I cannot discharge myself wholly from not bringing such irregularity under the cognizance of the committee, yet allow me respectfully to observe, that had the committee (or sub-committee appointed for that purpose) ever condescended for *once*, during the whole period (being upwards of four years) to have looked into the accounts, and pointed out this or any other irregularity, it would most unquestionably have been remedied; although I cannot but agree with Mr. Mellish, that if the steward is determined to act unjustly, and the signature of the receiving officer in the waste book, is to be the only check for the examiner, it will be impossible (without some additional regulations) to detect improper practices.

" In respect to the surplus and deficiencies, the examiner can only check the accounts as they are entered in the ledgers; and if, as in the present case, the master manufacturer does not keep an accurate check upon the receipts and issues, both as regards himself, as well as for the goods manufactured in the prison, which are appropriated without passing through either his or the steward's books, the result must be as at present; and I hope you will excuse my insisting, that the present disordered and unsatisfactory state of the accounts, arises more from the want of proper regulations in the receipt and issues of stores, than in any deficiency or neglect in the due examination of the books.

" Having offered these observations to your notice, I beg to acquaint you (for the information of the committee) that from my other official and professional engagements, it would be impossible (even with any additional pecuniary advantages, which you were pleased to state was in contemplation) for me to undertake the joint offices of secretary and accountant; and being anxious, as I always have been, to assist rather than impede the views and intentions of the committee, I shall be most happy to make any arrangement for withdrawing; at the same time, I feel it an imperative duty to submit to their consideration what I conceive to be a just claim, under all the peculiar circumstances of the case.

" On reference to the minutes, it will be found that it was originally intended to have a secretary and also a *cashier*, and that the committee, previous to my appointment, had made a minute, that at a subsequent meeting they would consider what salary should be given to the *cashier*; but on my appointment the offices were consolidated into secretary and examiner of accounts, with only the original secretary's salary affixed to it of 200*l.* per annum, and to be increased to 300*l.* per annum when the building is finished.

" To hold this appointment I have been compelled to relinquish a superannuation allowance of 170*l.* per annum, and therefore, although I have received 200*l.* per annum, yet virtually the public have only been put to the annual expense of 30*l.* for my services; it may also be observed that I have filled this office for upwards of four years, at the *reduced salary*, and therefore a retirement from it, when the prospect of increase is nearer approaching, is very disadvantageous, independent of the circumstance that my discontinuing it will prevent me applying to the Treasury at some subsequent period, for an increase on my superannuation allowance, on account of further length of public service, uniformly allowed at particular dates, but to which I have not at present arrived, nor will the time of my continuance in the temporary appointment in Cannon-row be allowed me.

" Under these circumstances I am induced to hope, that the committee, in framing their new arrangement will, in consideration of the great saving hitherto made to the public by my holding the appointment, and the disadvantages which must result from my leaving it at this period, grant me such a remuneration on my retirement as they may consider me entitled to.

" I have the honour to be, Sir, your most obedient humble servant,

" Nathaniel Thoms."

" The Right honourable Sir Archibald Macdonald, bart.
&c. &c. &c."

Mr. Holford.—The committee did not think that Mr. Thoms made out any claim to remuneration from them, and none was granted.

Mercurii, 25^o die Junii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

George P. Holford, Esq. a Member of this Committee, made the following Statement:

*George P. Holford,
Esq.*

(June 25.)

MR. THOMS has stated, that the resignation of Mrs. Sharpe arose, in some degree, from similar causes to those which had occasioned the resignation of Mrs. Chambers; that if any body knows the grounds upon which she resigned he does; that he was present at the whole time of the discussion respecting her retirement, and that she told him that she resigned in consequence of her disagreement with the chaplain. It is but justice to Mrs. Sharpe to contradict all those assertions, except the fact of her conversation with Mr. Thoms, of which I can know nothing. A meeting was held at Sir Archibald Macdonald's house, in which the ability of Mrs. Sharpe, to continue at the head of the establishment, was considered; no person ever surmised that she was guilty of any fraud, nor was an objection made to her that she disagreed with the chaplain, though being very much under the influence of Mr. Thoms, and listening too much to his counsels, she did sometimes treat the chaplain with disrespect. The ground on which the committee wished her to retire was, that she did not appear to them to be capable of managing so large and complicated an establishment as the Penitentiary then had become. Mr. Archdeacon Cambridge, who had, at the desire of the committee, inquired for a matron to replace Mrs. Chambers, and had introduced Mrs. Sharpe for that purpose, being satisfied that the opinion of the committee was well founded, very kindly undertook to communicate it to Mrs. Sharpe, who, in conformity with his advice, tendered her resignation; and the following minute was made on that occasion, Mr. Thoms not being present at this discussion.

[The same was handed in, and read, as follows:]

Extract from Minute of Superintending Committee of General Penitentiary.

" 30th June 1820.

" Mrs. Sharpe having tendered the resignation of her situation as matron, in consequence of her health not being equal to the increasing duties of it, arising from the extension of the establishment:—

" *Resolved*,—That in accepting this resignation, the superintending committee feel it due to Mrs. Sharpe to express their conviction, that she has, ever since her first appointment to her situation, discharged its duties with the greatest zeal and fidelity; and that she has, to the best of her abilities, acted uniformly with a view to the interest of the establishment.

" The committee are desirous of recording this testimony to her character, in order to obviate any misconception which may possibly arise, as to the cause of her resignation."

Mr. Holford.—Mr. Thoms has stated, that when he accompanied the matron into the prison for the purpose of taking down some statements from the women, he confined his examination to their names, ages, where born, and where tried, and that he entered into no narrative or confession of guilt. I produce the book which he made up on that occasion, by which it appears that he minuted down all their secret histories, and narratives of their seduction, and great deal of scandal, which they reported to him concerning other persons.

[Upon the production of the book alluded to, it appeared to contain such particulars as were stated in the answer.]

Mr. Thoms founded his right to go into the prison upon a passage in the rules, by which he is directed to report irregularities to the committee; this passage, however, did not refer to irregularities in the part of the prison inhabited by the prisoners, but to that part of the prison to which Mr. Thoms had ordinary access; namely, to that occupied by the superior officers, and to the circumstances that might come to his knowledge out of doors; such, for instance, as the very frequent absences of the governor, and of the complaints made by tradesmen, that the steward applied to borrow money of them, some of which could hardly have failed to reach the ears of Mr. Thoms, before a tradesman addressed a letter to me upon the subject. Mr. Thoms is as incorrect in regard to the end of this transaction, concerning his difference with the chaplain, as he is with respect to the beginning of it; he has stated, that

George P. Holford,
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(June 25.)

that no proceeding took place upon it in the committee, and that there was no minute upon it. He is right in saying, that there is nothing in the minutes upon this subject, probably, because he, the secretary, did not choose to record the fact of his having been obliged, by the committee, to make an apology to Mr. Bennett, which they communicated to Mr. Bennett. Of this fact I was informed by letters written at the time by Sir Archibald Macdonald and Archdeacon Cambridge, written to me upon that subject; and I have now a letter from Mr. Archdeacon Pott, which he wrote this morning, in consequence of an application to him from Mr. Bennett, in which this fact is confirmed.

[*The same was handed in, and read, as follows:*]

"Dear Sir,

St. Martin's Vicarage, June 23.

"Mr. Bennett informs me, that it is questioned whether the circumstance of the examination taken by Mr. Thoms in the prison, and the correspondence which followed, was ever before the committee; I perfectly well remember that it was. Sir A. Macdonald and Mr. Becher were present at that committee, and the final adjustment was then made which terminated that affair, by the apology stated to Mr. Bennett to have been made by Mr. Thoms, and its acceptance on the part of Mr. Bennett, who came before the committee upon that occasion.

"I remain, dear Sir, very truly your obedient servant,

"G. Holford, esq."

"J. H. Pott."

Mr. Holford.—In that part of my evidence in which I stated, that quarrels and differences were not frequent among the officers of the Penitentiary, I certainly alluded to the last four or five years, rather than to the commencement of the establishment; we were not fortunate in the choice of some of our first officers, but we were quite aware, that it was not likely that different persons brought to fill situations in a new establishment, of which persons, the committee had in general, no previous knowledge, were likely all to suit us, and we knew therefore that we ought to watch vigilantly over their conduct, to keep those who answered our expectations, and to part with those who appeared to be unfit for their situations; neither could we expect to make a complete system of rules and regulations at once; it was necessary for us to see from time to time, how the few rules which we originally made, should work in the prison, and to observe which of the practices, which grew up there, ought to be prohibited, and which sanctioned by the committee, and adopted into the rules; and those circumstances, therefore, will explain why the different members of the committee should have been a good deal of time in the prison, and why I myself, for a considerable period, did every thing but sleep there; we have, however, long got through the difficulties attending the commencement of this undertaking; we have kept Mr. Bennett, the chaplain, we have promoted Mrs. Wilkinson, and we have got rid of Mr. Shearman and Mr. Thoms, and of some others, of whom, as they have not been mixed with the present inquiry, I shall not now speak; we have framed a system of management, under which, the prisoner neither pines in solitude, nor is suffered to indulge in the pleasures of social life, and forget that he is undergoing the sentence of the law; the Penitentiary would now be in a high state of order and discipline; it would be proceeding in a manner to justify the large expense incurred in the building, and to satisfy the wishes and expectations of the public, if this cruel disease had not come upon us to disturb all our arrangements, and to blight for a time (I trust it is only for a time) those fair prospects; I hope, however, that it will be considered as a proof of the goodness of the system pursued, and of its moral effects upon the minds of the prisoners, when I mention, that although we have to deal with the irritable feelings of sickness, and with the impatience naturally incident to long confinement, we have not at this moment, out of more than 850 prisoners, one single individual, male or female, under punishment.

The Committee have a return before them of the different species of work in which the prisoners are employed in the Penitentiary, have you much fine work in the different trades which are carried on?—Certainly not; we cannot conveniently work for private customers in the trade of tailors, as it would require measuring, which would be very inconvenient, and it would also require a great multitude of accounts; our principal work in that branch, is the making of great coats for the army; there is also another objection to fine work, which is, that the articles are generally valuable, and easily embezzled.

Do you know the number of prisoners employed as tailors there?—231.

If then, those persons at the end of their term of confinement are discharged from the Penitentiary, they will not be able to gain their livelihood as tailors, so

George P. Holford,
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that during the whole period of time for which they have been confined, their work has been of no use in that way?—I do not contemplate the probability of sending out the persons confined in the Penitentiary, to a totally new course of life, but I rather expect that we shall have the means of re-uniting them to such parts of their families and connexions as are respectable; as to work, it has always been the wish of the committee to turn as many into the branch of weaving as possible, it being a much more healthy exercise for those who undergo much confinement than the work of tailors.

Are you aware that it has repeatedly happened, that persons have come from the Penitentiary as tailors, and have been admitted into the refuge for the destitute, having been four or five years confined in the Penitentiary, and who were not able to earn for themselves half a crown a week?—I have no doubt that this must have been the case, both as to tailors and shoemakers, if they could not get employment in very coarse work.

Do you make fine work in shoes?—We have made a very few shoes for some of the officers of the establishment, they paying for them, but that is now discontinued; and I believe we make nothing but coarse work in that line; but I hope soon to discontinue the shoe-making altogether, except so far as may be necessary for the wants of the establishment, as I consider the tools necessary in that work to be extremely dangerous.

Are you aware, that, in some of the larger houses of correction on the continent of Europe as well as in America, there is nearly every species of trade carried on, and that the whole is managed with such silence and decorum, that you may go into an establishment in which there are about a thousand persons, and upon asking any question of a prisoner, you will not even get an answer without the consent of his master?—I have heard those circumstances; but I cannot make out or conjecture in what manner those different trades can be carried on with tolerable convenience, without materially interfering with the discipline of the prison.

The Reverend Samuel Bennett called in; and Examined.

Rev. S. Bennett.

Mr. Shearman, in a late examination before the Committee, has stated that washing was done in the prison for the chaplain; will you explain that matter to the Committee?—When I came to the Penitentiary, a woman applied to Mrs. Bennett to take her washing, in consequence of having been recommended to us by a friend of her's who washed for us in the country, at the place where I resided; we gave her our washing. I cannot exactly say how long, but not many days afterwards, Mrs. Bennett told me that she had been applied to by the officers of the Penitentiary to send our linen to the laundry; I said I did not know what she could do, after having engaged the poor woman to wash our linen. Mrs. Bennett said they seemed to expect we must give it them; I said, if that was the case, she had better send a few articles of linen to be washed, that I might first of all know whether they washed cheaper than the poor woman who applied to us; that I rather thought they might charge more. It went on so for two or three weeks; and then I inquired of Mrs. Bennett whether she had paid for the washing, or knew what they charged for it. She replied no, that they had not given her any account; and I was very anxious that the account should be stated to us what we were to pay; but soon after that Mr. Holford called upon me one morning, and told me that he had found out, that the washing was done in the laundry for all the officers of the establishment, and my linen among that of others. He said good-humouredly, you are in the scrape as well as others. I said, Yes, that they had certainly part of it at least, and that I was rather doubtful about it, because I did not know what they would charge. I then, at the next meeting of the committee, thought myself bound to state to them that my linen was washed there, but under the idea that I was to pay for it. That is all that passed in the committee room. Not long after, it became the subject of conversation among the officers; and I remember that Mr. Shearman, who was then governor, stating to me, that all would have gone on perfectly right, as to the washing, if I had not spoken to the committee about it, and laughed at me for having done it. No more linen was sent from my family; there the matter ended, and I heard no more of it.

Will you state the circumstances of the letter you received from Mr. Thoms on the subject of the communication made by you to the matron, that you thought Mr. Thoms had no right to go into the prison?—This is my journal of September the 16th, 1817: "Mentioned to the matron, that I considered the personal visits of
 " the

(June 25.)

“ the secretary, in the female pentagon, for the purpose of examining the prisoners
 “ in order to form her character book, as irregular, and in some degree as an in-
 “ terference with my duty as chaplain; conceiving, that any questions touching
 “ their former life, &c. should be put to them in the most delicate manner by my-
 “ self, or the matron, and not by the secretary, who, by the regulations of the esta-
 “ blishment, does not appear to have any concern with the interior of the prison,
 “ and of course should be a perfect a stranger to the prisoners. In stating this
 “ circumstance to the matron, I remarked, that although I thought it irregular for
 “ the secretary to go into the female prison, yet I felt much pleasure at hearing he
 “ was lending his assistance as to the completion of her character book, which
 “ I trusted would be found very useful to the establishment; and added, that I had
 “ heard it highly spoken of by the members of the committee, as far as the cha-
 “ racters were then taken. I do not therefore conceive, that my communication
 “ with the matron, whom I presume was the proper officer to communicate with in
 “ the first instance respecting the female part of the prison, the governor himself
 “ not being allowed to enter that part of the prison without the presence of herself
 “ and the task-mistress, ought to have caused the writing a letter couched in the
 “ terms the secretary has been pleased to express himself in to me, as a clergy-
 “ man particularly, so as I stated my objections to the matron in regard to his
 “ going into the prison without the sanction of the committee in a friendly manner,
 “ and not with the least idea of giving any offence. September the 17th. Received
 “ a letter from the secretary respecting his visits to the female prisoners, inclosing
 “ this statement, which I should not have laid before the committee, had I not
 “ received a letter from the secretary, written in terms I had reason to complain of,
 “ when I considered I had endeavoured, in every possible way, sometimes at the
 “ risk of my health, to discharge my duty in the laborious and important situation
 “ I am placed in. I cannot help adding, that, if I am to be subjected to the
 “ receipt of such a letter from the secretary, or any other officer of the establish-
 “ ment, without the authority of the committee, my labour and influence in the
 “ Penitentiary will be of little avail, and the character and office of a clergyman
 “ degraded in the establishment where it ought to be respected and supported.”
 Have you a copy of the letter?—I have the original letter.

[The same was handed in, and read, as follows:]

“ Sir,

Penitentiary, 17th September 1817.

“ The matron having communicated to me your opinion on a supposed irregularity in my official conduct, I beg to acquaint you, that for the due performance of my duty here, I am amenable to the honourable committee, and to them only; and I beg it to be distinctly understood, that if any officer of this establishment considers me acting improperly, they will bring it under the consideration of the proper persons who are to decide upon it, and not insinuate it among the other officers. I have uniformly endeavoured to merit the good opinion of the committee, and of every officer of this establishment; and I have, at the sacrifice of considerable time and labour, assisted, rather than impeded the business of the establishment; and in respect to the supposed irregularity in question, I feel confident of receiving the committee's approbation, rather than censure.

“ I am, Sir, your most obedient humble servant,

“ To the Rev. Samuel Bennett,
 Chaplain, &c. &c.”

“ Nathaniel Thoms.”

Do you think if the secretary was allowed to go round the prison, and to have confidential intercourse with the prisoners, it would be possible for you to be useful there?—As far as regards myself, I should retire; I could not go on; I should state that what led me to speak to the matron upon the subject of Mr. Thoms' going in there was, a remarkably well behaved young Irish woman, a married woman; she had been a considerable time there, some months; so long, that I was very much inclined, as far as I could, to recommend her to the attention of the committee, that led me to question this poor woman upon some circumstances, as to her former conduct in life and the nature of her crime; she immediately flew into a great rage and was quite astonished I should question her about her former life, for she had been questioned quite enough about it by Mr. Thomas; she called him Thomas; what did I mean by it; I then asked to whom she alluded, she said Mr. Thoms had been there with the matron, to take down the character of the prisoners; very soon after I met with Mrs. Sharpe, the matron, and I related what I have read from my journal; that was the conversation that passed, which I have stated before.

Rev. S. Bennett.

(June 25.)

You spoke to Mr. Holford upon that subject?—The next morning I received the letter I have given in from Mr. Thoms; nothing more passed with Mr. Thoms; I saw him that night, I suppose he was not then informed of it, and in the morning I received that letter.

Did you write to Mr. Holford?—I did, immediately; and he wrote me an answer returning the one I have sent him.

Have you any reason to believe, from your correspondence with Mr. Holford; that he ever supposed Mr. Thoms assumed the right to go into the prison?—No.

Have you Mr. Holford's letter?—I have.

[*The same was delivered in, and read, as follows:*]

" My dear Sir,

" Your letter of the 17th did not reach me in time to be answered by return of post.

" There can be no doubt, but that your communication with the matron was in the strict line of your duty. The rules desire you, in page 18, '*to confer with the governor and matron on any matter connected with the welfare of the prisoners;*' and surely a question concerning the persons who may have intercourse with them is of that description. The matron is also, on her part, directed, page 15, '*in case of any doubt or difficulty to request the advice of the governor or chaplain, or either of them.*' If Mr. Thoms had a right, therefore, to visit the prison, he could have no ground of complaint, in your considering that question with the matron; still less can he be justified in addressing a letter to you in a tone and style which would hardly be decorous from a person of your own rank and station in life. If you had spoken to Mr. Thoms yourself upon the subject of your conversation with the matron, he would probably have told you, that he was not to receive directions from the chaplain; and if you had brought a complaint, in the first instance, before the committee, he would, with some reason, have complained of unkindness. I take it, however, to be quite clear, that Mr. Thoms has *no right whatever* to visit the part of the prison appropriated to the prisoners, and I should feel objections (on grounds which it is not necessary now to state) to his having any such privilege. When this matter comes to be considered, he will probably say that there is no *express rule* which authorizes any member of the committee to visit (not being the visitor) and that he stands therefore upon the same footing with a member of the committee, the rules being silent in regard to his admission. There is a defect in the rules on this point, they should have distinctly authorized the individual members of the committee to inspect the prison, and this omission ought to be supplied in our next edition; but the 13th rule, title, '*General Management of the Prison,*' page 63, does indirectly authorize members of the committee to visit, by allowing strangers to go round in their company; it has been always intended and understood that members of the committee should inspect, but it never was intended, to my knowledge, that the secretary should do so. I should have said, previous to the receipt of your letter, that Mr. Thoms never conceived himself to have any such right. He told me incidentally, that he had only been round once during my late absence from town, and that in company (I think) with Mr. Archdeacon Pott, and he said this in answer to an observation of mine, that he could have no opportunity of knowing what passed in the interior of the prison. I knew that he wrote the matron's character book, but I thought he only copied or arranged the information he received from her or found in the minutes. I do not think it right that the secretary should have authority to question prisoners concerning their former life or connections.

" To come now to the course which you ought to pursue; I hope you have not returned any answer to Mr. Thoms's letter; I should certainly inclose it to Sir Archibald Macdonald, stating, that I felt myself treated with disrespect on an occasion in which offence ought not to have been taken by the secretary, as I was acting in the strict discharge of my duty; that I was not desirous of bringing a complaint formally before the committee, and did not think myself called upon to enter with Mr. Thoms upon a controversy in writing, which did not promise, from its commencement, to have a very satisfactory termination, and that I therefore took the liberty of applying to him for his advice or interference. I have no objection to your mentioning that in making this reference, you act by my advice; and you may make any use of this letter you think proper.

" I am, your's most truly,

" Leamington, Sept. 19, 1817."

" G. Holford."

Did you communicate with Sir Archibald Macdonald upon that subject?—I did.

Was there any proceeding in consequence before the committee?—There was.

Can you state what passed upon that occasion?—When I waited upon Sir Archibald Macdonald, he was satisfied that it was a very uncivil letter, and that it was necessary to complain to the committee that I had received such a letter; when the committee met, I was called into the room, Mr. Thoms not being present; Sir Archibald Macdonald stated to me, that the committee had looked at the letter that Mr. Thoms had addressed to me, and that they had read the minute in this journal, which I have just stated; and that he believed, that Mr. Thoms thought he wrote with great warmth of temper at the moment, and that he thought I should
not

not wish to press the matter very much with the committee, if a proper apology was made to me; I said very far from it; if Mr. Thoms would assure any one of the committee, that he had no intention of conveying any disrespect or offence in writing the letter, which I considered written in intemperate language, I did not wish to put him to the painful task of apologizing personally to me; but I should be satisfied, if he would say that he had acted wrong, to any one member of the committee; I then left the room, and was very soon called again before them, and informed by Sir Archibald, as the chairman of the committee, that Mr. Thoms had apologized for sending the letter, and after that the matter ended; Mr. Thoms was very civil to me afterwards.

How long have you been chaplain to the Penitentiary?—I have resided there from the day it was opened, the 24th June 1816. I was appointed in March 1816.

Did you make a personal application for the appointment, or was it tendered to you?—It was tendered to me in October 1815.

Who made the application to you to take that situation?—The Bishop of London, with whom, at that time, I was not much acquainted. I had met him upon matters respecting my own living, so that I received the letter from him with some surprise; it was couched in the most handsome terms.

Where did you reside previously?—At Springfield, near Chelmsford, in Essex.

Did you officiate in the gaol at Chelmsford?—Yes, for a friend there, not for any emolument; for twenty years I was in the habit of going into the gaol.

Did you receive any mark of approbation from the magistrates for your attendance?—Yes, I did, certainly; when the magistrates found that this appointment was offered to me, Sir John Tyrrell, baronet, the visiting magistrate, with a Mr. Hule, wrote letters to me, requesting I would show those letters to Lord Sidmouth.

Were you personally known to Lord Sidmouth?—I had an interview with Lord Sidmouth; I hesitated whether I would take the appointment. I had an interview with Lord Sidmouth, and left him with a promise to take it; and I have been personally acquainted with him since.

Have you had any testimonials from Lord Sidmouth, approving of your conduct?—He has repeatedly told me he approved of my conduct, and was obliged to me; and I have had letters from him to the same effect.

Did the Bishop of London ever communicate to you his approbation of your conduct?—Yes, he has.

Did he give you your preferment?—No; Bishop Porteus.

Had you any preferment in the church before you were appointed chaplain to the Penitentiary?—Yes, by Bishop Porteus, but it was a very bad country, and I was obliged to leave it; and I resided at the curacy of Springfield, which led me to visit the gaol.

When you left your parish, in which you officiated as curate, was there any particular mark of respect shown you by your parishioners?—Yes, there was; they sent me a piece of plate, with an inscription upon it.

What is the nature of your duty in the Penitentiary?—That of doing the duty of the chaplain, and constantly visiting the sick, and reading prayers every day in the infirmary; and in constant attendance, I may say, from morning to night.

Even at that period when the establishment was healthy?—Yes, constantly; I am as liable to be called upon in the night as the day.

Do you not, independently of visiting the sick, go about from cell to cell to see persons who you think require your assistance?—Yes.

Are not the prisoners in the habits of unbosoming themselves to you, and confidentially reposing in you all the secrets of their past life?—Yes, they do, certainly.

It is in your hands to give permission to the prisoners to see their friends?—Yes, those in the infirmary, but in the prison by the consent of the governor.

Application is made to you first?—Yes; I never refuse, unless the prisoner has behaved ill; nor would it be even then in case of sickness.

All letters that come in or go out are read by you?—All letters that pass from the prisoners to go out, go through my hands in the first instance, to the governor; and all letters that come in for the prisoners, come through the governor's hands to mine.

Are they read by the governor?—Yes, and sent to me. If I find, on reading letters, information of the death of their friends, then I go with them myself.

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Does any other person read the letters?—No. I have a box on purpose, which locks, that goes round the prison; they are allowed certain times to write, upon asking my leave to write. The turnkey goes round the prison with a box, and I have the key of it; then they go to the governor in another box; they are not seen by any other persons but the governor and me.

In point of fact, are you not the principal person to whom the prisoners apply, if they have any request to make, or any grievance to complain of, or any thing to tell?—Certainly; if a prisoner thought himself under punishment he would speak to me; or if he thought himself aggrieved by any officer.

Are you accustomed to visit persons under punishment?—Yes, I am.

Do you visit those who are under the punishment of solitary confinement daily, or oftener?—Sometimes oftener, but not regularly every day; when they are under punishment for any serious offence, I should visit them very frequently.

In point of fact, have not the greater portion of the prisoners in the Penitentiary, confided to you the whole history of their past lives?—Yes; one of them made a discovery to me some time ago, by which a gentleman got a great deal of property back that he had lost.

When prisoners apply, after having been out one year, for the reward given by the committee to those who can produce testimonials of good behaviour, do not the committee refer to you, to make inquiry, if they have any doubt respecting the testimonials?—Yes; and I may say also, there is scarcely a day that I have not letters from the prisoners or their connexions.

Have you much satisfactory information to give the Committee upon the subject of the receipt of letters from discharged prisoners, setting forth the propriety of their conduct since their discharge?—Yes, the greater part of them are very satisfactory.

More particularly from the females?—Yes, I think rather more from the females; in fact, we had discharged more females than males, and I frequently, in going along the streets of London, am stopped by many persons who have been in the Penitentiary, stating, they are in good situations, and so on.

And having an appearance, indicating that their statement was true?—Yes.

So that the Committee understand you to say, that as far as you have any information of the discharged persons, that the system, as long as it has lasted, has produced general good?—Certainly.

Have you persons of many different religious persuasions?—Yes; but I have never met with any that have expressed a wish to be attended by any other minister but myself, except Roman catholics.

Have the Catholics any opportunity of that kind?—Yes, there is a priest who regularly attends.

Have you any Quakers in the Penitentiary?—No, not now; we had two, one died and the other received a free pardon.

Did they object to receive your assistance?—No; the one that died, wished me to baptize him; I declined it, and I had a communication upon that subject with some of his friends.

The Committee believe, that you recollect the case of Mary Turner?—I do.

She was recommended by the medical gentleman, to be removed from the Penitentiary for change of air, and it was therefore suggested, they might apply for a pardon for that prisoner?—Yes, I recollect Dr. Hutchison speaking to me upon the subject.

Do you recollect, whether you had not some correspondence with her friends upon the subject of her removal?—Yes, I wrote to a Miss Miller, the daughter of a clergyman in the country, who had interested herself very much in her fate.

Did it not appear, that if she had been removed, there was no place to which she could have gone, but the workhouse?—Yes; that they would take great care of her in the workhouse, but that her mother-in-law was so bad, that they could not send her to her.

[The following paper was delivered in, and read:]

“ AT a Meeting of the Superintending Committee, 17th April 1822.

“ Present:

E. B. Wilbraham, esq. M. P. in the Chair.

George Holford, esq. M. P.

Reverend T. Rennell, B. D.

William Courtenay, esq. M. P.

Charles Bosanquet, esq.

“ A report

"A report on various matters connected with the medical department, by Doctor Hutchison read, and thereupon resolved,—That in regard to Mary Turner, there appearing great difficulties in the case of her removal, the committee do not think it advisable at present to recommend her for discharge from the Penitentiary."

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(June 25.)

Mary Turner was capitally convicted?—Yes, for stealing a quantity of valuable jewels.

Does the Catholic chaplain attend regularly?—Not very regularly.

How many Catholics should you suppose you have?—About seven, eight, or ten. When they come in, they state to the governor of what religion they are; and if Catholics, the priest attends them; but he is very irregular in his attendance, and he desires them not to attend my chapel; if they do not, they must be locked up; they get tired of that, and then they say, rather than be locked up, as their priest comes so seldom, they will come to our chapel.

Have you any Scotch presbyterians?—Yes, we have some.

Do they make any objection to attend divine service?—Not the least; we lost a very interesting Scotch woman some time ago, which I gave Mrs. Fry an account of, which she published.

Have you any Jews?—We have two Jews, and one Jewess.

What do you do as to them?—They have always wished to visit the chapel; they are attended by their Jew friends.

Have they their meat during the paschal lamb?—Yes; I waited upon the high priest, to consult upon the best way to deal with them, and he sends to us in the holidays to tell us what they are to do; the high priest wished them rather to attend the chapel than not, that it would do them no harm; and the Jews have expressed to me very great gratitude for my attention to them all the way through.

What books are distributed in the prison?—The books in the catalogue of the Society for promoting Christian Knowledge.

Are those books principally religious and serious books, or any thing of a lighter kind?—They have introduced now a few books, such as Robinson Crusoe, and those they have admitted.

Do you mean biblical history?—Yes, and Robinson Crusoe; and several other little books they have drawn up.

Are those books of a lighter kind than the biblical history given at your discretion to the prisoners?—Yes, they are.

Have you ever any applications made to you by prisoners for books of another description, of a still more learned character?—Yes, I have; it may not happen in many instances; perhaps two or three.

Have you ever had applications made to you for permission to read the Greek, Roman and English histories?—No, I have not; but I have had applications for Latin books, and I lent one prisoner out of my own library a Latin grammar and a Latin book, and he can read it now remarkably well.

You consider it in your discretion to give to the prisoners such books as you think necessary for the state of their minds?—If I lent a book, I should make it known that I had lent it; if I found a particular book in my own library, I thought applicable to a particular individual, I should lend it him; if I found a prisoner in a state of despondency, if I had a book I thought would be of service, I should lend it.

Do any of the prisoners occupy themselves much in the study of arithmetic?—Yes; they are allowed books of arithmetic.

Are there not at this moment some of the prisoners, who have advanced themselves very high in common arithmetic, as high as simple equation?—Yes; and on algebraic questions; I remember a boy prosecuted for taking two canary birds from his master; when he came into the Penitentiary he could read very little, and after being in the Penitentiary two years, he was able to read and write, and cast accounts; I thought well of him, and I called upon his master whom I found to be a wire-worker, over Westminster bridge, a very decent man; I told him the story, and he said he was sorry afterwards that he was transported, and he would take him into his service again, if I could get him a pardon; I did get him a pardon, and he is now with his master doing well; his master being quite delighted with him, because he was taught to read and write and cast accounts.

Has the chaplain any control over the secretary?—No, not at all.

There is no regular communication between them?—No.

Do you recollect the time that Mr. Thoms acted as secretary?—Yes.

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Did you approve or otherwise of his conduct generally, in that situation?—I had no opportunity of giving an opinion one way or the other; I knew so little of him at that time.

Had you ever any communication with the porter respecting Mr. Thoms's conduct?—Certainly not; that was stated here the other day, and I asked the porter about it; he is a respectable man, he lived with Mr. Hatsell eighteen years; and if Lord Sidmouth came to the Penitentiary, he would speak to him; I have asked him about it, and he says, I never did talk to him upon the subject.

Does the porter officiate as clerk at the chapel?—Yes.

Was not it contemplated once to unite the offices of chaplain and secretary?—I never heard that; I should not have taken it certainly; I have more need of assistance.

Have you many Scotch people?—No, not many; for two or three years we had not any Scotch; I remember a Scotch clergyman going round, and he was very much pleased with not finding a single Scotchman or woman there; but on going out of the gate in the reception room, he found one Scotchman.

Do you preach twice on a Sunday?—I have done so till lately; but owing to the immense number of sick, I have been obliged to have a clergyman to assist me.

During the last six months your duties have been very arduous?—Extremely so; no body can say what I have gone through, I was four hours by my watch in the sick rooms last Sunday; it is hardly possible to describe the scenes I have gone through this last six months.

Have you ever been obliged to call in assistance?—Not till the two last Sundays.

Do you find your health impaired?—I do now; the fatigue has been incessant.

And anxiety of mind as well?—Yes; I am with them at the moment they are dying, which is very distressing.

Were there not at some periods a considerable number of Scotch prisoners, who could not either read or write?—I think the greater part of the Scotch prisoners (we have had very few) could not read or write.

But on leaving you, they have been taught both?—Yes; that has always strengthened my own opinion as to the education of the poor, for I am satisfied the more they are educated, the less will be the quantity of crime; because those people come from a remote part of Scotland, where there was no education; there is no punishment so great to the prisoners in the Penitentiary, as keeping them back from the school or the chapel.

Alexander C. Hutchison, M. D. was again called in; and further Examined.

Dr. Hutchison.

HAVE you any observation which you wish to make to the Committee?—Yes, I have; I have written out a few observations on a piece of paper, which I beg to read; and I have the documents here to confirm them.

[*The same was read as follows; with the documents alluded to in the same.*]

“Before the Select Committee close the admission of evidence, I beg to advert to two points which may require further elucidation. It is evident from Mr. Courtenay's deposition, that the real cause of my dismissal from the Penitentiary, resolves itself into the two points to which I am now to advert; 1st. That I had communicated to Mr. Secretary Peel, copies of certain statements addressed at the same time to the managing committee, which communication Mr. Courtenay, and perhaps the other members of the committee, imagined to be substantially in the nature of a complaint to Mr. Secretary Peel of their conduct; for he good humouredly stated, “that he did not like to be tried by Mr. Secretary Peel, “upon the indictment of Doctor Hutchison.” In the second place it is stated, that I could not effectually perform the duties of my office, unless I held a good understanding with the other officers of the prison, especially the chaplain and matron.

In answer to the first point, I beg leave to observe, that my communication to Mr. Peel was by no means, of necessity, as Mr. Courtenay infers, a complaint against the managing committee, neither was it in fact or intention any such thing. The real truth is, that Mr. Secretary Peel finding a discussion about to arise on the subject of the Penitentiary, applied to me for information in the first instance; with which application it was certainly my duty, as an old servant of the crown, to yield immediate compliance. When the discussion alluded to did take place, it certainly appeared to me and others, that sufficient justice had not been done on that occasion to my exertions in the Penitentiary, and I really thought the managing committee more than lukewarm in that respect. My application therefore to Mr. Peel was, very naturally, to request that he would supply the omission; that application (which was made only ten days after the interview he had requested with me) arose obviously from the part he had taken in the discussion in question *as a Member of Parliament*; but quite the contrary, and *toto cælo* different from a complaint to him in his capacity *as the King's Secretary of State*, of the conduct of the managing committee of the Penitentiary,

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Penitentiary, in respect to their execution of the duties committed to them. In short, I never did impeach the conduct of the managing committee of the Penitentiary before the tribunal of Mr. Secretary Peel, or any other person, until *after* the committee gave me notice of dismissal, on the 12th April last, all which will be completely substantiated by my correspondence with Mr. Secretary Peel, which I beg leave to hand in, (No. 1, 2, 3, 4, 5.)

In answer to the second point, it is not to be denied, that having unfortunately been led to think the chaplain, and knowing the matron to have been concerned in propagating a calumnious report against me in June 1822; I could not entertain that cordial respect for them which I always did previously to the date last mentioned; but I beg leave most earnestly to deny the omission of any communication with either of them, which was in the smallest degree necessary to the well being of the establishment. With the chaplain my duties very seldom interfered, and personal intercourse could scarcely ever be necessary. With the matron, surgeon, and other inferior officers in the infirmary department, I had most certainly, and I add, with civility and propriety, every intercourse necessary to the discharge of our respective duties, and communicated with them freely and unreservedly on every point of service. I beg to say, that I am warranted in assuming this much, for I never, on any occasion, heard from the committee, visitors, or any other quarter, a single hint, much less an admonition, that further communication with any one of those officers was desirable.

One other point, before conclusion, I beg to touch upon. I have already expressed to the Rev. Mr. Bennett, my great regret that I had erroneously conceived him to have been one of the authors of the report against me, but I beg this honourable Committee to recollect, that the managing committee of the Penitentiary had, through Dr. Granville, given up to me the name of Mr. Bennett as one of my accusers, and I could not therefore be aware, that in this respect the committee were mistaken so exceedingly; for it is now in evidence, that Mr. Bennett not only uniformly denied to the visitor his belief in the accusation against me, but that he never was even examined by the committee on the subject."

—N° 1.—

"Mr. Peel presents his compliments to Dr. Hutchison, and requests that he will be good enough to call upon him here on Monday next, at one o'clock. Whitehall, Saturday, 1st March."

—N° 2.—

"Thursday at three o'clock.

"Mr. Peel presents his compliments to Dr. Hutchison; it was owing to an unlucky mistake that Dr. H. received the message he did from him this morning, and that Mr. Peel did not see him. Mr. Peel has to request that Dr. H. will be good enough to call here as soon as he conveniently can. The information Mr. Peel particularly wishes for, is the proportion of sick in the Penitentiary at this time, compared with any other, say January last; likewise of those now sick, the number of males and females. Whitehall, Monday, quarter past two. If Mr. Peel should not be in the way when Dr. H. calls, Dr. H. will be good enough to see Mr. Hobhouse."

N° 3.—Copy of a Letter to Mr. Secretary Peel by A.C. Hutchison.

"Sir,

"Spring Gardens, March 15, 1823.

"The recent discussion in the House of Commons, respecting the Penitentiary at Milbank, has so materially affected my professional character, that I am compelled to entreat of you to read my correspondence, from which you will see what I have had already so much reason to feel, that I am not likely to have my reputation vindicated by the committee. It is the opinion of my friends, that those papers ought, in common justice to me, to be laid before the House, *with* the report of the two physicians; as to this, however, I am fully satisfied with leaving my case in your hands; if you think it expedient to move for them, I can desire nothing else; but if otherwise, I must entreat the favour of you to fall upon some other means of doing me justice in the House, so that my character may not fall a sacrifice in any contest that may arise between the committee and other persons.

"I have the honour to be, &c. &c.

"Right Hon. Robert Peel,
Secretary of State."

(signed) "A. Copland Hutchison."

—N° 4.—

"Sir,

Whitehall, March 15, 1823.

"I am directed by Mr. Secretary Peel, to acknowledge the receipt of your letter of this day's date, in which you request, that he will either lay the correspondence therein inclosed, before the House of Commons, or take some other means of vindicating your professional character to that House. And Mr. Peel desires me to acquaint you in reply, that nothing which has passed in the House of Commons, tended to throw the slightest imputation upon your professional character; nor has any communication been made to him, directly or indirectly, imputing the present disorder in the Penitentiary, to your want of skill or attention.

"I have the honour to be, Sir, your most obedient humble servant,

"H. Hobhouse."

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(June 25.)

— N^o 5. —

“ 7, Spring Gardens, April 9, 1823.

“ Mr. A. Copland Hutchison presents his respectful compliments to Mr. Secretary Peel, and begs permission, as he has laid before Mr. Peel his former correspondence with the committee of the Penitentiary, to add to that a copy of a report which he yesterday sent to those gentlemen.

“ To the Right honourable Robert Peel,
&c. &c. &c.”

Were you ever consulted professionally by Mrs. Wilkinson, the matron, within the last twelve months?—Yes; the surgeon, on going round my monthly visit of the prison, called my attention to a pain she had in her loins, for which I then prescribed; I afterwards asked her, two or three times, how she was from the remedy I had applied, telling her at the same time, that the probable cause of this affection was her standing too long on the cold stones in the passages.

What was the date of that consultation?—October or November last, I am not certain which.

Had you held conversations with her within that period, concerning the health of the prisoners?—Two or three times.

Have you ever attended, professionally, upon any of the nurses?—I have; as frequently as they were ill, I gave my professional assistance to them.

How frequent was that?—They are both very great invalids, particularly Mrs. Barnacle; she has been laid up for weeks together with inflammation of the lungs, and asthma.

It appeared in evidence, that a suspicion might arise that you were not, in your treatment of the female prisoners, kind to them; have you any thing to say to that assertion?—I have to state, that the nurses took partialities for certain convicts who had been up in the infirmary as patients, and that they had endeavoured, in several instances, to retain such convicts longer in the infirmary than I considered they ought to be retained; and I have, on several occasions, ordered those persons down to the prison, by which I gave those nurses offence, and the prisoners too; I may mention the names of two, Sarah Mitchell, and a woman of the name of Thomas, who were great favourites with Mrs. Cowsey, and the other woman.

Did you ever make any complaint to the visitors?—No, I did not; being at the head of the medical department, I wished to make as few complaints as possible; I took a great deal upon myself, and thereby incurred a heavier responsibility than was necessary perhaps.

You considered yourself at the head of that hospital, as you would if you had been officially employed as a surgeon in His Majesty's service?—Undoubtedly.

And you gave orders and directions, as you would have done under those circumstances?—Precisely so.

Do you recollect a young man of the name of Skipping, or some such name, being up in the infirmary for many months in the last twelve months?—I do.

What was his disease?—Consumption.

Was he dangerously ill?—Yes, we expected him to die every day.

Is he quite recovered?—Yes; and he was, when I left, the fattest of the patients in the infirmary.

Do you recollect a young woman of the name of Cinterberry?—Yes, I do.

What was her disease?—I cannot tell, it is many years since; she was brought to the brink of the grave, and we had given her up as a lost case, but she recovered in consequence of the treatment then adopted, and good nursing; and I believe, has only recently left the institution.

Did the committee usually acknowledge the receipt of your official correspondence with them?—No, I do not think I had more than two or three letters ever acknowledged during the seven years I was there.

Did they not, within your knowledge, make minutes of what passed, and see you upon the subjects of your letters?—No, I cannot say they did.

Did they ever give directions in consequence?—It was impossible for me always to be aware, whether the suggestions made by me were adopted or not; I recollect sometimes seeing they were carried into effect, at other times I could not see it.

Do you conceive it to be part of your duty, to visit the nurses and officers in the institution?—The nurses, not the superior officers; the nurses and the inferior servants.

Would

Would the porter be included in it?—If he remained within the walls, I should presume he would.

Dr. Hutchison.

Did any conversation ever pass between you and any member of the committee, concerning Mr. Pratt?—Yes, there has.

(June 25.)

Who was that member?—Two or three, Mr. Holford and Mr. Wilbraham both.

What was the part you took?—I said every thing I could; I could not say he was a bright man, I said he was sober and attentive to his duties, and as much of him in that manner, as I thought was but right and just.

Do you consider that report of your's, as having served him considerably?—I do; Mr. Wilbraham also conversed with me upon the subject of Mr. Pratt; and he said the committee wished to get rid of him, and that they wished me to be the organ, which I did not like; and I recollect mentioning the circumstance to Mr. Holford too, that I did not like that the task should be imposed upon me; if they found cause for his removal, they had better do it themselves; if I saw any error in his medical conduct, it was my duty to mention it. I wrote a letter to Mr. Wilbraham, after I had been requested to correspond confidentially with him upon the subject; I showed my first report to Mr. Pratt, as I thought it but right to do, and I told him he could never see any such remark again, that I was bound to comply with the directions of the committee.

It has been stated in evidence by Dr. Granville, that lemon juice and chalk mixture could not chemically agree in the stomach; and it appears in your own evidence, you prescribed chalk mixture and opium at the time you were giving lemon juice; and in that of Dr. Roget and Dr. Latham also, that they prescribed the *hydrargyrus cum crute*, while they were giving lemon juice; did you ever witness any bad effects from this supposed chemical agency?—The fact is, that the lemon juice and the chalk mixture and the mercury with chalk, were not given at one and the same time, and their not being given at one and the same time, makes a very great difference; there were three or four hours between the exhibition of one medicine and the exhibition of the acid, so that no chemical effects of the nature described by Dr. Granville, could be possibly expected to arise from that circumstance.

Was not the first prisoner that had the scurvy, of the name of David Jones?—It was.

Did you give him mercury for his complaint?—No, I prescribed the mercury for that man on account of a diseased spleen, with which disease he came into the infirmary.

Was he salivated?—No, he was not.

When you gave him the mercury for the spleen, you were not aware of his having a scorbutic tendency?—No, nor for a fortnight afterwards.

Did you ever give your consent to the new dietary established in July last, either to the committee as a body, or any of the visitors?—Never.

The Committee distinctly understand you to say, that neither to Mr. Courtenay or any other visitor did you give them to understand that you concurred in that dietary, even as an experiment?—Never; I have stated when I have been asked in the committee and out of the committee, whether I considered the newly established dietary had any injurious effects upon the health of the prisoners, that I had as yet seen none up to the 8th or 10th of January last; I stated that to be my opinion on all occasions.

Practically speaking, you told the committee you did not conceive the prisoners health had suffered by the dietary; but that you never stated your approbation of that dietary?—Precisely so; I stated from one month to the end of two years might be requisite to ascertain whether the dietary was proper or not.

[The following letter was delivered in, and read:]

“ Sir,

Parliament-street, June 24, 1823.

“ At the request of the committee of the General Penitentiary, I have procured the accompanying extracts from the burial registers of St. Margaret's and St. John's, Westminster. It will be seen, that the number of deaths during the last winter, viz. from November to March, in each parish, far exceeds those of the two former winters; and more especially in the parish of St. John's, although containing a much less number of inhabitants, and is nearly on the same level with the Penitentiary. Although in former winters, and particularly during the severe and continued frost in that of 1814, the worst specimens of scurvy have occurred in St. John's parish, yet I have not been able to trace any well marked case during the present winter, which has been unusually severe; and this I mainly attribute to the abundant supply of clothing, coals and food, which has been supplied to the out-door poor of the parishes during the inclement months. A report was in circulation that diarrhoea had

prevailed among those who resided on the banks of the Thames. This report has been founded in truth; diarrhœa in its simple form was prevalent during December and January, in the Battersea and Fulham districts, but readily yielded to the ordinary remedies adapted for the removal of that complaint. The question respecting contagion is difficult to answer; the general medical opinion is, it is not so. I have much gratification to add, that the diarrhœa which has long prevailed in the Penitentiary, is rapidly on the wane; and from a minute examination throughout the whole establishment this morning, I have every reason to think, that the disease, in a very short period, will no longer exist.

"I am, Sir, your obedient servant,

"Mr. Auld, Secretary,
General Penitentiary."

"Anthony White, Consulting Surgeon."

Augustus Granville, M. D. further Examined.

Dr. Granville.

(June 25.)

HAVE you any observation to make to the Committee, respecting your former evidence?—Yes; I stated in my evidence, that if the average quantity of animal matter employed in the dietary of the committee of July 1822, for each prisoner during the week, had been divided into two equal portions, and given every Sunday and Thursday as solid meat, dressed or stewed, instead of being diluted in seven quarts of broth, with bread and hot gruel, or potatoes instead of it, every other day besides, that the scurvy and diarrhœa would not have occurred at the Penitentiary; I then supported my assertion by a reference to the diet used in the prisons in Paris. I have since found the official document on which my position rested; I shall be happy to lend it to the Committee, and to translate that part of it which more particularly refers to our present case.

"Prefecture of the department of the Seine.—Dietary for the use of the seven following Prisons, under the direction of the Prefect:—

Saint Pelagie (presumed mean population)	-	-	-	-	-	-	-	250
Grande Forse	-	-	-	-	-	-	-	250
Petite Forse	-	-	-	-	-	-	-	450
Les Madelonettes	-	-	-	-	-	-	-	250
Saint Lazare	-	-	-	-	-	-	-	650
Bicêtre	-	-	-	-	-	-	-	700
Conciergerie	-	-	-	-	-	-	-	120

2,670

For Prisoners in Health.

S. 1.—Not condemned to labour (per diem).

Bread, of $\frac{1}{2}$ wheat $\frac{1}{2}$ rye - - - 1 $\frac{1}{2}$ lb.

Water.

Rumford soup, 1 pint.

The Rumford soup to be thus made; for every 100 prisoners:—

Vegetables - - - 10 lbs.

Dry pease, or French beans - 8 quarts.

Lard, or butter - - - 3 lbs.

Salt - - - 3 oz.

The whole to be boiled in a sufficient quantity of water to supply each prisoner with a pint of soup.

S. 2.—Prisoners condemned to labour, who refuse to work.

Bread ($\frac{3}{4}$ wheat, $\frac{1}{4}$ rye) - - - 1 $\frac{1}{2}$ lb.

Water, ad libitum.

S. 3.—Prisoners condemned to labour, and working, including those who work without being condemned to labour.

Bread, as before - - - 1 $\frac{1}{2}$ lb.

Water.

A pittance or dish, consisting of the same ingredients as the Rumford soup, with one pound more butter or lard in it to 100 prisoners, every Monday, Tuesday, Wednesday, Friday, and Saturday.

A pittance grasse, consisting of four ounces of meat, without bones, boiled in a sufficient quantity of water, with vegetables and salt, to make a pint every Sunday and Thursday.

Paris, 28th June, 1808.

(signed)

"Frochot, Prefect.

Cretel, Minister of the Interior."

From this document we learn, that the only animal matter allowed to the prisoners who do not work, either because they refuse to do so, or because they have not been sentenced to labour, is three pound of butter or lard divided into one hundred soups, made of vegetables and dry pease or beans, called Rumford soup, of a pint each; and that each prisoner has one pint such soup daily, beside one pound and a half

a half of bread, and water, and consequently not quite half an ounce of animal matter per diem.

Where the prisoners are condemned to labour, or labour from choice, a pint of soup is given to them, containing either more lard or butter with the same quantity of bread every day except Sunday and Thursday, when every such prisoner is allowed a stewed dish, consisting of four ounces of meat without bones, and a proportionate quantity of vegetables, including pease and French beans. This dietary has been in use since 1808 without variation, and no epidemic scurvy or scorbutic dysentery or diarrhoea, has occurred in consequence of it, proving abundantly the correctness of my assertion in my first and last Friday's evidence, that the dietary of the committee in July last, was by no means as low as some in use in other prisons, and that two meals per week of solid meat of six or seven ounces to each prisoner, would have preserved them from the disease. The occurrence of sporadic cases of scurvy or scorbutic dysentery in the prisons I allude to, and the existence of an almost epidemic scurvy at Bicêtre, on one occasion only, during a very severe winter, when the disease was rightly attributed to want of proper clothing, as mentioned in my first evidence, cannot of course, be considered to alter the question; with regard to that part of my evidence, where I tendered certain returns from St. Helena, showing the fatal effects of large doses of mercury in bowel complaints, I ought to have added to it, the written declaration from the naval surgeon, of whom I made mention on that day, stating, that the cases of dysentery reported in those returns, were considered as scorbutic, thus establishing a similarity of disease with that prevalent in the Penitentiary. In order, however, that the Committee may be enabled to attach a proper weight to the evidence laid before them, respecting the pernicious effects of frequent doses of mercury pushed to salivation, in the disease under consideration, it will be necessary to state, that in addition to all the facts mentioned in my former evidence, and those referred to by other witnesses, and besides the testimony of our best and greatest physicians, who have either condemned the use of mercury altogether, or never recommended it for the cure of diarrhoea or dysentery, there are several instances on record, of those diseases occurring among large assembled masses of people as at the Penitentiary, where mercury was either not used at all for the cure of the disease, or was only employed as it is done in private practice, in small and distant doses.

The Committee will permit me to cite two or three such instances, purposely taken from the history of modern British practice, in order to avoid the objection that might be made, if that of foreign physicians were alluded to, that they are prejudicial against the employment of mercury. Doctor Somers, physician-in-chief to the allied armies in the Peninsula, and who, in that capacity, saw a vast number of cases of diarrhoea and dysentery, does not recommend large or frequent doses of mercury, nor does he say that salivation is necessary to cure the disease; the only quantity of that medicine he prescribed, was three grains of calomel every other night, with one grain of opium; and he relied on other means for the recovery of his patients. Sir James Mc Grigor, director-general of the army medical board, in a sketch on the diseases of the English army in Spain, says, that Dr. Somers's practice appeared so judicious, and proved so successful, that he recommended it being generally followed in the army. It is worthy of remark, that the mortality among the patients thus treated (notwithstanding all the discomforts and inconveniences of a marching army), quoted by those highly respectable medical officers, was only one in 75; whereas at the Penitentiary, the mortality has amounted to seven in 100. In an epidemic dysentery, which broke out on board one of H. M. ships at Bermuda about the year 1814, when sixty men were attacked by the disease at once, and the list kept increasing six a day, no mercury was used, except in one case, which got worse through it, and yet the disease was speedily subdued. No large or frequent doses of mercury were deemed necessary, nor was salivation considered indispensable in the treatment and cure of the epidemic diarrhoea and dysenteries which reigned in the British army in Egypt by Dr. Dewar, principal medical officer of that army. In the reports of the disease of the bowels, by far much more favourable than the prevailing disease in the Penitentiary, which affected so large a portion of the population of Bombay, Batavia, and Java, it is not stated that salivation was necessary in the treatment of the complaint; and calomel is declared to have proved no better than any other medicine in curing the disease. With regard to the testimony of Dr. James Johnson (respecting which I have been examined) who I have been informed by the Committee has given his unqualified approbation to the plan now pursued at the Penitentiary, and who in his publications

Dr. Granville.

(June 25.)

has at times recommended sixty grains of calomel a day in the treatment of dysentery, and at other times very insignificant doses of that remedy in the same disease, it ought to be remarked, that the disease he saw occasional instances of, never large numbers of them at one time, had no connection with scorbutic dysentery; and that, even with regard to simple genuine dysentery of tropical climates, in which he states that he had recourse to the simple dose practice, the testimony of those who consider that practice as either pernicious or unnecessary, is both great and irresistible. He has himself quoted Dr. Ballinghall and Mr. Bampfield, one an army, and the other a navy surgeon of great experience, who condemn the scruple dose practice and salivation altogether in dysentery; and Dr. Thomas, of Salisbury, a physician of forty years experience, alluding to this same practice, says, "I am inclined to doubt whether mercury so employed as to produce salivation, will be found useful or even innocent in the cure of real dysentery; indeed I should think it could not fail, in many instances, to prove exceedingly hurtful, and particularly in the doses which are mentioned." That, in the present practice at the Penitentiary, it has neither been useful nor innocent, Dr. Baird's and my evidence have amply proved to the Committee.

Martis, 1^o die Julii, 1823.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Mr. Thomas Higgs, called in; and Examined.

Mr. Thomas Higgs.

(July 1.)

WHAT situation do you hold?—I am deputy coroner.

Are you a professional person?—No.

Who gave you the office of deputy coroner?—I was nominated under an instrument by Mr. Gell, and approved of by the dean and chapter.

Was it under the seal of Mr. Gell?—Yes.

And under the seal of the dean and chapter?—No, under the hand of the dean.

What oath did you take?—The usual oath of office.

The same oath as the coroner takes?—Yes.

Who administered it to you?—The dean and chapter.

Has it been customary for the coroner for this district to appoint a deputy coroner?—Yes.

For a long term of years?—Yes.

Have you often officiated as deputy coroner?—Very often.

How many years?—Five or six.

Have you generally officiated at the Penitentiary?—I have taken half of the inquests there during my time, or rather more.

During those years, how many times have you officiated there?—About two-thirds of the whole.

Supposing thirty people to have been dead since January last, you have officiated at twenty inquests?—Eighteen out of the first thirty, and Mr. Gell the remainder.

Did you officiate there on Friday, the 27th ultimo?—Yes.

An inquest was held on the body of Charles Thompson, a convict?—Yes.

Did you summon the jury?—No; it is the duty of the constable.

How was it summoned?—The precept or warrant goes to the constable of the parish in which the dead body lies.

What parish is it?—The parish of St. John the Evangelist.

Are all the twelve jurymen taken from that parish?—Twenty-four are summoned, and we expect twelve to attend; we have from twelve to twenty-three on the inquest.

How many sat upon that inquest?—Sixteen.

From what parish were they summoned?—From the parish of St. John.

Is it the custom to summon them all from one parish?—Yes, in London.

Do you know upon what principle of selection the constable summons?—No, I do not.

What description of persons are summoned?—I should think not the most superior; I consider the constable excuses the most superior, as a matter of favour.

What was the class of jurymen that sat on Friday last?—Tradesmen.

Housekeepers?

Housekeepers?—Yes.

Were you acquainted with all of them, or any of them?—Very few of them.

How many?—I do not know the number; I have the list in my pocket; my family have very long resided in that parish, as long as any one; perhaps some centuries. [*The witness produced a list.*] I am not sure I know more than one by name.

Was that the foreman?—No, Mr. Crook.

A respectable person?—He is a hair-dresser, and dresses my hair occasionally.

Does he keep a shop?—Yes.

When you say that none of the superior classes were summoned, they being excused by the constable, what do you mean by the superior classes?—Such as the gentlemen of the vestry.

Do you mean the principal tradesmen in the parish?—Yes, and those who keep the best houses and the greatest establishments in the parish.

Are the jury composed generally of the poorer and inferior class of housekeepers?—I cannot so well answer that question as the constable.

Of your own knowledge, is it so, or is it not?—I should think they are not the most respectable; they are the small class of tradesmen.

Every householder is liable to be summoned?—Yes.

Have you got a copy of the precept?—I have the original.

[*The witness produced the same, which was read, as follows:*]

City and Liberty of Westminster, } TO the constables of the parish of St. John the Evangelist,
in the County of Middlesex, } within the said liberty of Westminster:—By virtue of
(to wit.) } my office, these are, in His Majesty's name, to charge
and command you, that on sight hereof, you summon and warn twenty-four able and sufficient men of the said liberty, personally to be and appear before me, on Friday the 27th day of June 1823, by five of the clock in the afternoon of the same day at the General Penitentiary, situate in Milbank, in the said parish, within the said liberty, then and there to do and execute all such things as shall be given them in charge, on the behalf of our Sovereign Lord the King's Majesty, touching the death of Charles Thompson, and for your so doing, this is your warrant; and that you also attend at the time and place above mentioned to make a return of the names of those you shall so summon, and further to do and execute such other matters as shall be then and there enjoined you, and have you then and there this warrant. Given under my hand and seal, this 26th day of June in the year of our Lord one thousand eight hundred and twenty-three.

J. H. Gell, (l. s.) Coroner.

The execution of this warrant appears by the schedule hereto annexed.

Tho' Dagnall, Constable.

Is it the case, that under the terms "able and sufficient men," housekeepers are supposed to be meant?—Yes.

Of your own knowledge, can you state that all the persons who have officiated as jurymen on juries you have attended, have been housekeepers?—I consider them to be so.

Do you sign the proceedings?—I do not.

Who signs them?—Mr. Gell.

Though not present?—Yes.

On your report of the proceedings?—The inquisitions are signed by the jurors, and afterwards countersigned by Mr. Gell.

Is the order for burying the body signed by Mr. Gell?—Yes.

Does not that run in these terms, "I and my inquest have viewed the body?"—Yes.

He never having viewed it?—Yes.

Have you got the original inquest with you?—Yes.

Is that a copy furnished by you?—(*Handing a paper to the witness.*)—Yes.

That is a true copy of the original?—Yes; I examined it.

[*The depositions taken before the Coroner, on the death of Charles Thompson, were handed in and read, as follows:*]

City and Liberty of Westminster, } INFORMATIONS of witnesses severally taken and acknowledged on the behalf of our Sovereign Lord the King,
in the County of Middlesex. } touching the death of Charles Thompson, at the prison called or known by the name of the General Penitentiary situate at Milbank, in the parish of St. John the Evangelist, in the said liberty in the county aforesaid, on the 27th day of June, in the fourth year of the reign of our Sovereign Lord King George the Fourth, before John Henry Gell, His Majesty's coroner for the said city and liberty, on an inquisition then and there taken on view of the

Mr.
Thomas Higgs.

(July 1.)

body of the said Charles Thompson, then in the said parish in the said liberty in the said county, lying dead, as follows: to wit—

Benjamin Chapman, governor of the said Penitentiary, on his corporal oath deposeth:—
“The deceased (according to the prison register) was tried on fifteenth January one thousand eight hundred and twenty-two, at St. Mary’s Newington, and found guilty and sentenced to seven years transportation, which was commuted to five years imprisonment in this Penitentiary, where he was received (from the *Justicia* hulk) on first June one thousand eight hundred and twenty-two, being then in a good state of health; it is stated that when he was tried he was twenty-eight years of age. His friends, during my time as governor, have been allowed to visit him at the usual times, which is once a month, but during his illness much oftener; I wrote to his mother when he was seized with a fit a few days ago.

“*B. Chapman, Governor.*”

John Pratt, surgeon of the said Penitentiary, on his oath, deposeth:—“The deceased was removed to the infirmary, for the first time, on the first March last, complaining of difficulty in making water; he recovered, and was taken down on the fifth; on the tenth of same month he was removed up again with diarrhoea, where he remained till the twenty-fourth, when he was placed in the pentagon, where he continued doing well till the 3d May, when violent purging came on; he was then admitted into the infirmary, and he died on the twenty-sixth of June, of a fit, a species of apoplexy; he had had two of these fits in the beginning of this week; the first (I think) was on Monday last, when he appeared to sink, and complained of pain in his head, the second (I think) was about Tuesday; I saw him about an hour prior to his death, when he was perfectly sensible, and said he felt better, but complained of his head; he has not been delirious at all; he was attended by Drs. Roget and Latham, as well as by myself, and every thing was done that could be thought of for his recovery. He was emaciated when admitted into this prison.

“*John Pratt.*”

Benjamin Chapman, the governor, further deposed:—“In answer to a question by a juror, I depose I commenced my duty as governor on twenty-fifth March last; as to the deceased’s employment in the prison he was in pentagon N° 2, and I will send for Mr. Smith the taskmaster. The first letter I wrote to the deceased’s mother to tell her of his illness was on the twenty-third of June, the last on the twenty-sixth of June, which was to apprize her of his death.”

Richard Swift, taskmaster of pentagon N° 2 of this prison, on his oath deposeth:—“The deceased was employed as a winder of yarn on the pipes for the weavers, he had worked for a short time as a weaver. His turnkey, Gibson, has reported him several times last winter, as being idle, and I made a similar report to the governor. I do not know whether he was punished for it. He was confined by the then governor (I think) four or five days in the winter, for throwing some of his yarn down the privy. The deceased, after he had been confined in a solitary cell about twenty minutes, voluntarily confessed having wilfully wasted it, as he wished to conceal the quantity of waste from the turnkey’s knowledge. If the waste had been found out by the turnkey, the deceased would have been confined in the same way. The deceased was a slovenly man, and has been reported frequently to be filthy in his person, and to have dirtied his bed; he was not refractory. The deceased’s diet when in the solitary cell was the usual prison allowance when under punishment there, being a pound of bread and water a day. The surgeon and myself attended him every morning; he slept in the said cell; it had a stone bottom, but is not under ground; there was a bedstead there, and three blankets, and a bed rug. Prisoners work in the winter from eight to four, but between that are their meals, and times for exercise. The prisoners when they leave the prison are allowed an eighth part of their earnings. The solitary cells have air-holes, but no windows.”

R. Swift.

Mary Thompson, of Brompton, (near the Bell and Horns) widow, on her oath deposeth:—
“The deceased was my son; on last Tuesday I visited him in the infirmary of this prison, about five o’clock in the evening; he was then in bed, he seemed livelier than he had been for some time, but I still considered he would not survive long, and he declared that his time was short; he was perfectly sensible, and having called me to his bed-side, he whispered or spoke low, (for he was not allowed to say any thing but what was to be heard, in the presence or hearing of the workmen); I am sure he was afraid to speak; he then said, he had been confined in a dark cell, on bread and water, nine days, in the very cold weather of last winter, just after Christmas, when nobody could keep warm even with a great fire, and this he said was his death-stroke. I have visited him regularly since last winter; I was admitted in the first Tuesday of each month; this was in the visiting room; there was there always a man belonging to the prison, to hear the conversation; the deceased never told me before last Tuesday about his said solitary confinement on bread and water, and to account for that I do consider he was afraid to mention it in the presence of the person of the prison who was at our said interviews; he had the best health immediately before he was admitted into this prison. I consider it was four months ago when he first complained of illness, I reproved him for not having written of it; he then explained, that as he was allowed to see his friends he was not permitted to write; the man then present said, it was false; at my said visit, about four months ago, the deceased said his inside was gone, and then it was, the conversation arose about his writing, and before he could say more, the man that was in the place with him, laid hold of his shoulder, and said, “come come, you are not to talk that here,” and pushed him to the door, when he was taken away by another man. I applied at this prison on the first Tuesday of the next month, and was admitted to the deceased; he then seemed much

much the same as at my last visit; I remained with him a quarter of an hour; I was denied only once seeing the deceased, I cannot say at what month, but it was after the deceased was pushed from the room, as before-mentioned. I have not visited him since last Tuesday, as I could not make it convenient to go, on account of my business; I keep a garden; but the prison officers had orders to admit me or any of the deceased's friends whenever we applied this week; his uncle, aunt and brother, have visited him this week.

Mr.
Thomas Higgs.

(July 1.)

"Mary Thompson, her + mark."

George Thompson, of Brompton, Middlesex, joiner, on his oath, deposeth:—"The deceased was my brother; I visited him in this Penitentiary the first Tuesday in June one thousand eight hundred and twenty-two; he then informed me he was well, and that the allowance of meat was to be taken off next week, which he was afraid would go very seriously with him; I visited him next month, and then he expressed himself to be very poorly; I visited him the third month also, and inquired how he was, he said he still continued poorly, and so he stated each month up to October, when I visited him again, and he put his hand to his belly, complained of hunger, and said, (much affected) "George, I could eat a cabbage stalk;" on Tuesday fifth of November, a person named Gillard, was allowed to go instead of me to visit my brother; I applied on the first Tuesday of December and January and was refused admittance; I saw him in February, he appeared in a deplorable wasted state, and so weak as to be obliged to support himself by holding the iron bars; we applied in March, and was informed he was in the infirmary, I then saw him, and he considered he should do better, as there was an extra allowance of food, and expected he should be able to go down in a few days; I went again in April, and also in May, when he was in the infirmary, and saw him; we came the Tuesday in this month (June), when we were denied admission to him; I inquired of the Reverend Mr. Bennett, the chaplain, the reason of this refusal, who answered, that the deceased had been talking; my mother begged to see him, as he was so ill, but Mr. Bennett said he must abide by the rules; he said the task-master would satisfy me about it, but it was only a trifling offence, talking, which we were not allowed to see him for, for they will talk when they get better, he said; I went about to find the task-master, but could not see one; I was apprehensive the deceased was very ill; we then came away from the prison, much dissatisfied; my mother and me came the Sunday following in the hope of seeing him, but we were not admitted; our apprehensions increased until a letter was received from the governor, dated twenty-third of June, informing my mother of my brother's danger, and I went to the prison on Tuesday last, and was admitted to his bed side; I scarcely knew him, he was so much altered; I inquired how he was, he was doubtful how it would terminate, and observed, "George, we must all die some time;" by this he was aware of his situation; I put down my head to him, and said, "they have hurried you to the grave;" he was perfectly sensible, and said, "yes, to be sure, I've been starved." I inquired if he had any wish, he observed, it was a wretched place to die in, and asked if Mr. Greenwood knew he was in such danger; I told him my mother had informed Mr. Greenwood; he said, he hoped Mr. Greenwood would make interest to get him out, to die at home; Mr. Greenwood was applied to, who stated the case to Mr. Peel, who was kind enough to attend my brother on last Wednesday.

"George Thompson."

John Gillett, of Michael's Place, 22, Brompton, tailor, on his oath deposeth:—"I have known the deceased about nine years, he assisted his mother in the gardening business, he was a healthy young man, I never knew him to have a day's illness before he came into this prison; I always considered his word to be taken, he was a sensible young man and also a scholar; I never knew him to be obstinate or quarrelsome; I have been once to see him since his confinement here, this was (I think) in the month of November last. I was admitted into a room parted off with iron bars, his mother and a person named Best were also there; I inquired how the deceased was, he was much affected, and with faltering voice said, he was starving to death with cold and hunger; the turnkey said he must not say that, the deceased then appealed to him if it was not true, that he was then starving, the deceased was immediately turned out; I begged he might come again, and his mother with tears in her eyes requested it, but it was denied, and we came away.

"John Gillett."

John Pratt again called in, and further deposed:—"In the course of the day I always visit every prisoner that is confined; I do not recollect visiting the deceased last winter when in a solitary cell, if he was in one I have no paper to remind me of this. If I find a prisoner in ill health, I order him from the solitary cell; I have known a prisoner to be confined in the dark cell for nine days on bread and water, without injuring his health; but I cannot say it was the deceased. The deceased's death was not brought on by the quantity or quality of the provisions.

"J. Pratt."

VERDICT.—"That the said Charles Thompson, being a prisoner in the said General Penitentiary, on the twenty-sixth of June one thousand eight hundred and twenty-three, then departed this life from the effects of solitary confinement and the want of the common necessaries of life during his residence in the said prison, since the twenty-ninth of June last."

(A true copy.)

Thomas Higgs, D. C.

Memorandum:—"The jury viewed the place of solitary confinement."

Mr.
Thomas Higgs.
(July 1.)

Was any person present on behalf of the Penitentiary, or connected with it, when those three last witnesses were examined?—I believe the messenger was present.

Was any other person present?—Not that I know of.

Was not the messenger quite as often on the outside of the door as within it?—I believe not; but my attention was taken up by the witnesses.

Was the governor permitted to be present?—He was not refused.

Are you sure of that?—I do not remember it.

Is it not an open court by law?—Yes.

Nobody has any right to be turned out, unless they conduct themselves ill?—No, unless they had evidence to give, when it is considered best to keep them out.

The governor had been examined?—Yes.

Was any inquiry made whether the persons who were supposed to be present on this day, in November, when the man was taken out of the cell, were to be found in the prison?—I do not exactly know the meaning of that question.

Was any inquiry made at the time, whether the officers of the prison, who were supposed to be present when the friends of the prisoner were turned out in the November preceding, were then at hand in the prison to be examined?—I believe no inquiry was made by any person; I inquired for Gibson, or any other person who could state whether he was in confinement.

Who did you make that inquiry of?—Of the messenger.

Did the messenger pretend to know any thing of it?—He said he knew nothing of it.

Could you suppose he should know any thing that passed in a part of the prison occupied by the prisoners in the November preceding?—I do not know any thing of the internal arrangements of the prison.

Were any inquiries made of the governor?—I believe not.

Was any inquiry made into the fact of the date of the confinement of the person in a dark cell, and his liberation?—I believe not.

Was any inquiry made of the person who saw him after his liberation, as to the state in which he was in the dark cell?—I inquired of his friends, those persons who gave evidence, whether he appeared ill immediately after November.

Had his friends any means of knowing what state he was in at that time?—From the interviews they had with him, and the surgeon stated he was not on his hands till March.

*[The following Papers were delivered in by George P. Holford, Esq.
a Member of the Committee.]*

Extract from the taskmaster, Pentagon N° 2; Order-book dated the
18th January 1823.

“CHARLES THOMPSON to be confined to dark cell, on bread and water diet.”

Extract from the taskmaster, Pentagon N° 2; Report-book dated the
23d January 1823.

“CHARLES THOMPSON liberated, and restored to his rations.”

Was any inquiry made of those who saw him on the 23d of January, or soon afterwards, in what state he appeared?—No, I did not inquire myself; I did not know it would form any part of the verdict; I had no idea of it.

Do you sum up to the jurors?—If it had been necessary, I should have read the whole of the evidence to them.

Do you, in point of fact, sum up the evidence to the jury?—Not in general, where it is so recent; it is read over to the witness.

You do not sum it up generally?—No; I think it the more impartial way to read it over.

Was the whole of the evidence read over together?—No, only after the deposition of each witness.

Do you explain the law to the jury?—If there is an occasion for it.

Are you a lawyer?—No.

What is your profession?—I have several professions; I was articled to the law, and was under a gentleman some time in my younger days; my father had a business connected with the water, and it was considered better I should be brought up to that, being the only son, as a waterman.

What

What is your occupation now?—So I passed my time for seven years, from fourteen to twenty.

As the keeper of a boat?—My father keeps sailing craft; he is a lighterman.

What do you do independent of this business of coroner?—As a lawyer's clerk.

How are you paid by Mr. Gell, by the job or salary?—I declare I can hardly answer that question; I have 10 s. for each inquisition.

If the jury offer you a verdict which is uncertain, or which appears to be an improper one, is it your business to make any comments upon it, or give them any advice?—Not in every case.

If they give you a verdict you do not understand yourself, is it your practice, or is it proper to refer it back to them, that it may be made more distinct?—In some cases I require they will receive further evidence.

Do you consider yourself bound to receive the verdict given by the jury in the precise terms in which it is drawn up?—In some cases.

In what cases do you not?—I should conceive in such a case as this.

Did you object to the terms of the verdict?—No, I did not.

The verdict states, that the deceased departed this life from the effects of solitary confinement, and the want of the common necessities of life during his residence in the said prison, since the 29th of June last; do you understand that to mean, he was in the want of proper necessities during the whole of that time, or within that period?—Within that period, within the twelve months; I did not collect from the jury, it was from the diet he had received in that month.

Is not that verdict very near coming up to murder?—Yes.

Why did not you issue your warrant to take up the people you conceived guilty of this offence?—I did not conceive the diet had been unlawfully administered.

You thought it an accidental death?—No, I did not.

Did you understand by the common necessities of life, that it was an insufficient dietary?—Yes.

Do you conceive that to be a proper mode of describing an insufficient dietary?—I should conceive it conveyed that meaning.

Had you before you the evidence of the dietary?—No, not on this occasion; I had on other occasions.

Did you apply that evidence to this inquest?—Yes; it was notorious.

Do you permit juries to find their verdict upon what is understood, without evidence before them?—That which is commonly known; there can be no doubt of the dietary.

Can you state the dietary yourself that was used during the time that the verdict applies to?—I conceive it to be this: that each prisoner was allowed from a pint to a quart of gruel for breakfast, and soup made in the proportion of two ox heads to 200 prisoners, of which they might have from a pint to a quart at dinner, and gruel in the evening; a sufficient quantity of bread.

You do not know what the dietary was exactly?—No.

Do you know to what period of time, since the 29th of June, this applies?—From June till about January; I did not anticipate such a verdict; I should have gone into it more fully if I had.

Did the jury ever inquire what daily food this man ever received?—Not at this inquisition.

You mean to say they had inquired at other times; had the same jury sat on Penitentiary inquests before?—I believe so.

Are you certain they are the same?—I believe I remember the names of them frequently.

In fact, the jury never heard what was given to this man to eat?—I believe not; it was taken for granted.

How is it you said he was starved, if you never heard what he got?—It was the jury who said he was starved; they received the declaration of the man in a dying state; I suppose he said he was starved; the witness gave it in the precise words of the deceased.

You represented the coroner upon this occasion?—Yes.

Can you state any reason to the Committee, why the officers of the Penitentiary did not attend the inquest, or any of them?—Several of them attended.

Did you not say there was only a messenger?—The governor was in the room; but he retired after he had given his evidence, and the surgeon also, and the taskmaster.

Mr.
Thomas Higgs.

(July 1.)

Mr.
Thomas Higgs.

(July 1.)

When you examined the surgeon, Mr. Pratt, did he give his answers to you in a candid and respectful manner?—Yes.

He did?—Yes.

Was there any irritation in the minds of the jury during the examination of Mr. Pratt?—I conceive there was.

There was some irritation on the minds of the jury when they examined Mr. Pratt?—Yes.

Can you state any reason for that?—I saw no reason.

Was it a general irritation on the minds of the jury, or only partial?—I think there was only one or two.

Did that seem to bias the verdict of the jury in any way?—I think not.

Did you hear the governor apply for permission to remain in the room, and being refused?—No, I did not; I have on other occasions, but that does not relate to the present.

Is not your court an open court?—Yes.

Has not every person a right to be there?—Yes, while there is room.

Was the governor of the prison refused permission to remain there?—Yes, on former occasions; but not on this.

Can you recollect that Mr. Pratt refused to answer any questions put to him by the jury?—He was required to give an opinion, which he refused.

What was that opinion on?—It was, I believe, whether he could live eight or nine days on bread and water, in a solitary cell.

Are you quite sure it was not, how long he could live upon twelve ounces of bread himself?—I believe it was the same; if he could live on that allowance in the solitary cell.

Is that the part of the dietary of this deceased convict that is more particularly alluded to, in your verdict of starvation, during the nine days he was in solitary confinement on bread and water?—No; I conceive it alluded to short allowance.

How long was this examination taking place?—Between four and five hours.

You did not consider it necessary to refresh their memories at all, when they came to their verdict?—I reminded them of the evidence of Mr. Pratt, that it was contradictory to what they were about to give as the verdict; I requested they would adjourn, and receive the evidence of the physicians, Messrs. Roget and Latham.

Then the Committee are to understand from you, that the verdict did not appear to you to be fairly borne out by the evidence?—It was in contradiction to Mr. Pratt's direct evidence.

Had you, in this instance, the printed dietary of the establishment before you?—I never saw it.

Then your memory is only furnished with the dietary by having sat on former inquests held there?—Yes.

Have you sat on many?—Yes, a good many.

Was there ever such a verdict returned before on any other occasion?—No.

How came you to return that verdict?—It is the verdict of the jury; I should not have taken it out of the prison.

You have stated, that your general rule is to receive the verdicts in the words as given by the jury, but that in some instances you make an exception to that rule, and this instance of the last inquest was one of those exceptions; what do you mean by that, did you object to this verdict?—No, I did not.

You have said, that you would not have taken it out of the prison?—I mean, I should have required the jury to give a verdict of manslaughter, murder, or acquittal.

Why should you make any distinction between within the prison and without the prison?—Because I consider this dietary not unlawful.

You consider that the persons who have the management of the prison have a legal right to give such dietary as they think proper to the prisoners?—Yes.

And the result of those orders, even if terminating in death, you would not consider murder?—No.

Was there any evidence before you, that the prisoner had the whole of the dietary intended for him?—No, there was not.

The only evidence you had of the insufficiency of the food was, the prisoner's stating to his mother he was starved?—Yes.

Did the jury consider whether the dietary was or not sufficient, was that the question discussed?—I believe it was discussed.

Did

Mr.
Thomas Higgs.

(July 1.)

Did any of the jury appear to know what it was?—I believe they all knew.

Why does the evidence of the words of the prisoner that he was starved, imply that he had the whole dietary, and that it was not enough, rather than that he had not what was intended for him?—Because I remember he stated to his brother, that the short allowance was about to commence, and he thought it would not agree with him, and the next time he saw him he was worse.

Do you know whether the prisoner ever asked for more food?—No, I do not.

Is there any evidence to show that this prisoner had as much as the dietary intended he should have?—I believe there is no doubt of that.

Was there any evidence before the jury, that the prisoner had what was allowed by the dietary?—No, there was not.

You took the verdict upon evidence, not upon oath, because there was no evidence of what the prisoner received?—No, there was not.

Was the verdict given in words suggested by you, or handed into you by the foreman of the jury, put down by him or his colleagues?—The words were not suggested by me.

Have you been on many inquests?—Many hundreds.

Do you administer oaths to the parties examined?—Always.

Do you find your verdicts on the evidence extracted from the friends of the deceased, generally?—No.

Not from the friends of the party?—Very seldom; we consider them interested, but in extreme cases we are glad to get the best evidence we can.

In fact, the Committee are to understand, that the jury believe that evidence which has been read, and which was before you, with regard to the convict himself stating to his mother and his friends that he was starved?—Yes, when he considered he was dying.

Had you any evidence as to the quantity of time he had been in solitary confinement?—Only the evidence that has been read.

Did you believe the evidence that his mother gave, as to his being in solitary confinement nine days?—I did not consider her memory accurate.

Do you make any observations to the jury upon the credibility of the testimony you have received?—When I see occasion.

Did you upon this occasion?—I believe not; the witnesses did not contradict each other.

Did not one man say he was confined four or five days, and the mother nine days?—They were both only speaking from memory.

Is it not your duty to point out the inconsistency of the evidence?—Yes.

Could not you have got at the evidence by inquiring of the officers of the Penitentiary?—I inquired of the man there, I considered he was authorized to be there.

Did not you know that all those things were matters of record in the prison?—I should consider it proper there should be a record, certainly, when an individual is put into solitary confinement.

Did you inquire after any such record?—I inquired of the person in the room; I considered he was authorized by some person in the Penitentiary, to attend to what was going on.

Do you mean, you inquired of the messenger?—Yes,

Is he any thing more than the person who carries messages out of the prison?—I do not know his duty.

Did you inquire of the governor?—No; I was not aware that the verdict would be founded upon his confinement in that place, or else I should have made further inquiry.

When a verdict is given in, do you think that you are precluded from requesting the jury to examine other individuals, or to re-consider their verdict till they could examine individuals who could give contradictory evidence?—I only consider it my duty to tell them of it, I did not see any doubt but that he had been confined in this place.

For nine days or five?—Five or nine.

Was not it important to determine that?—I should think five days sufficient.

To do what?—To injure a man's health at that inclement time.

Did you inquire as to the length of time that had occurred between his confinement and the time he was taken ill?—Yes, I did.

From whom?—The evidence before me, the surgeon stated it was on the first of March he was taken ill.

Mr.
Thomas Higgs.

(July 1.)

You could have adjourned the jury for the evidence to be examined?—Yes, I conceive I could.

If the jury founded the verdict upon a circumstance which you did not think would have formed part of the verdict, ought you not to have inquired what further evidence could be tendered upon that point?—I considered it only my duty to tell them, I thought it better to have further evidence; but if they declined it I must receive the verdict.

Did you mention to the jury that the verdict was founded upon a circumstance you did not think would form a part of it, and recommend them to take further evidence?—I did recommend them to take further evidence, on account of Mr. Pratt's deposition.

What further evidence did you desire them to take?—The evidence of the physicians, Roget and Latham, as to the cause of the death of the deceased.

Did they refuse to do so?—They did.

They declared themselves satisfied with the evidence received?—Yes.

You have stated, that you did not expect the circumstance of the confinement in the dark cell, to have formed a part of the verdict?—Yes.

And you have also stated, that where a verdict was founded upon a circumstance, you did not expect you should recommend the jury to call further evidence; did you recommend it to the jury to inquire as to the time the man had been confined in the dark cell, and his food while there?—No, I did not.

Were you surprized at the verdict?—Yes; I conceive there is a distinction to be made between a verdict upon a coroner's inquest and a trial; on a trial, if the matter is not properly decided, it may go to a higher tribunal.

Did you think, on the part of the officers of the prison, or any of them, that due attention was paid to your authority, or was any unwillingness shown on their part that might give you any distaste to examine them on the regulations and orders or records of the prison?—Not the least, there was the greatest willingness.

John Henry Gell, Esq. called in; and further Examined.

J. H. Gell,
Esq.

YOU are coroner of Westminster?—Yes.

Upon what authority do you appoint a deputy?—It has, from time immemorial, been the custom of the Chapter to allow a deputy to the coroner of Westminster.

Do you consider yourself as bound by his act?—Yes.

You sign all the inquests?—Yes.

Is not the memorandum, that it is your inquest, at which you were present?—Yes; we do not state, taken before the deputy.

Have you ever received any complaints, that the person whom you appointed as your deputy, however respectable, had not the professional knowledge requisite to fill the situation?—Never, in any one instance.

Did the committee of the Penitentiary ever make any remonstrance to you, that he did not command that respect from the jurors which his situation demanded?—No; I cannot recollect ever having heard any such conversation at all.

Were you ever requested by them to attend yourself?—No, I do often attend inquests myself; I may have another engagement elsewhere, it may be quite casual; but I have not been requested by the committee, upon all occasions, to take the inquests, or any one in particular.

Was not there a meeting of the committee of the Penitentiary, at which you attended, when they requested you to attend the inquests personally?—No; I recollect being once before the gentlemen; but I cannot charge my memory, nor do I believe, that any thing to that effect took place; it is impossible I should have forgotten such a circumstance.

For what purpose did you attend that meeting?—Upon my word, I cannot recollect.

Was not it after the death of Ann Martin, and in consequence of the inquest upon her?—Yes, I recollect there was such a name; but whether it was on that occasion, I cannot tell.

Was not the verdict upon that person, that she died from the bad quality of the food, whereas she died of a diseased spine?—I really cannot call upon my memory to state exactly for what purposes I was called, or what took place; I recollect being once called before the committee, but I cannot recollect for what; I was never requested to attend on all occasions, or any.

Was

J. H. Gell,
Esq.

(July 1.)

Was not it stated, that it was desirable that you should attend personally, in order that juries might find more proper verdicts?—No, I do not recollect that.

What answer should you have given, if that had been requested of you?—I would have attended as often as I could; but my other engagements would prevent me doing it at times.

What other engagements have you?—I am concerned altogether for the dean and chapter, and for several bishops, and various circumstances occasionally call me out of town.

What do you mean by “concerned”?—I am steward for all the manors of the dean and chapter, and I am obliged to go and hold the courts.

How many inquests do you and your deputy hold in your district in the course of the year?—It is an extremely uncertain thing; it may be between forty and fifty in the quarter; they vary so excessively.

Do you not consider a knowledge of the law necessary, in order to fill the situation of coroner?—No; I was never bred a lawyer, and I never found any difficulty in taking any inquisition; I have had cases of importance; I think the precedents we have make it unnecessary to be a lawyer.

How are the jury summoned?—A warrant is granted to the constable of the district by me, to summon twenty-four householders.

Are the twenty-four householders to be summoned from the parish, the hundred, or in what way?—Within the parish.

Is that the practice in Westminster?—Yes; they always confine themselves to the parishes in which the inquest is taken; I never knew them go out of the parish.

Does the precept express householders?—“Good and lawful men;” they are considered householders; I believe they might go in any part of the liberty if they thought proper, but that is not the practice.

It is stated upon the authority of Lord Hale and others, “when a notice is given to the coroner, he is to issue a precept to the constable of the four, five, or six townships, to return a competent number of good and lawful men of their townships, to appear before him in such a place, to make an inquisition touching the matter, or he may send his precept to the constable of the hundred”?—I suppose that refers to the county coroners; this is a small jurisdiction, and there is not such a population as may render it necessary.

Who is the constable?—Dagnell, I believe his name is.

Does he serve in his own right, or is he a deputy constable?—I do not know.

What description of person is he?—A chair-maker.

Is he a respectable man?—I was never at his residence.

Is he a petty constable?—Yes; my precept is, “to the constables of the parish.”

What salary do you receive?—None whatever; we are paid twenty shillings for each inquisition taken, the same as all county coroners.

What fund does that come from?—The county rate.

You are appointed by the dean and chapter of Westminster?—Yes.

Do you believe that the present jury consisted of the same people as the former did?—No; I always found a change of persons; the constable endeavours to divide the trouble in the parish.

Do you know whether it was so in this instance?—I was not present; but I have not found the same jury twice exactly.

Is it the habit of the constable to excuse, from favour, a certain portion of the householders?—I cannot answer that; I believe the higher ranks of life are never attempted to be summoned; whether they get any compensation for that I cannot answer; I never found any persons beyond a certain rank summoned on my juries; in general they are shopkeepers.

Do you in general consider it your duty to sum up the evidence to the jury?—Not unless they require it; it is taken down very slowly; if they desire to have it read over I do it, but it is very seldom done; the progress is so slow, they would gain nothing by reading it.

Is it customary to read over the whole evidence taken before the verdict is delivered?—No, it is not the general practice, but it would always be done, if desired by the jury.

Suppose a verdict is given in terms you consider uncertain, would you return it?—I should not like to take a part that might appear to be influencing the jury; I should make an observation on anything I thought inconsistent with the evidence given, but if they persisted in it, I should take the verdict.

J. H. Gell,
Esq.

(July 1.)

If they should found their verdict upon a circumstance you did not expect, and you thought that further evidence might be necessary upon that point, would it or not be a part of your duty to suggest the propriety of taking further evidence?—Yes, I should; but if they persisted in it, I should take the verdict as it was.

In employing a deputy, you would take care the person you so employed, should be perfectly equal in all respects to supply your place?—I should never think it right to appoint a person whom I did not think equal to myself; it does not rest with myself exactly, because the person is sworn in by the dean and chapter, after being approved of by them.

And Mr. Higgs is that person?—Yes.

And you have such confidence in him, that you sign his inquests without hearing the evidence?—Yes; I am quite sure he is as competent as myself, he is very careful; we very often have two or three inquests in a day, sometimes he takes one and I take the other.

James Perry, called in; and Examined.

James Perry.

WERE you foreman of this jury?—Yes.

Were you acquainted with the persons of the jury who sat with you?—Not many of them.

What description of persons were they?—Most of them tradesmen.

Respectable people?—In the middling line; honest and honourable men, for what I know. One was a licensed victualler.

Did you ever sit upon an inquest before?—Yes.

Did you ever sit upon an inquest in the Penitentiary before?—Yes, several times.

Since the beginning of the winter?—Two or three times, not more.

Did you ever sit upon any inquest in which the question of the food the prisoners had, was inquired into?—No, I was not; it had been in question many times, but I thought the question alluded to February last.

Upon any inquest in which you sat, was the question of food discussed amongst you?—Yes.

Do you know what was the food?—We were informed it was soup, nothing else.

Were you informed as to the quantity as well as to the quality?—One bullock's head for 100 men.

Was the quantity of bread told you?—Yes, I think a pound and a half a day; I am not certain.

Had this jury on Friday last, the evidence of food before them?—No, they had not.

Had any of them sat before on juries?—Three or four of them I had seen there before.

Did you discuss the subject of the food amongst each other?—No, not particularly, we did not.

Did it appear to you on the jury, how many ounces of bread this prisoner was allowed?—In the confinement we were informed what he was allowed.

Was there any unwillingness in any officer to give you the information you required?—I did not observe any.

Were not the officers asked questions that did not bear upon the subject?—I think there was one man that was rather intoxicated, that was very troublesome.

Did not the rest of the jurymen rather check some of the questions?—Yes, I did myself repeatedly.

Did the officers of the prison, the governor or the surgeon, refuse to answer any questions put by you?—Yes; one man put a question himself; he rather insulted Mr. Pratt, I believe.

But the officers of the prison, the surgeon and governor, did not refuse to answer any question put by you?—Certainly not.

Did you say, intoxicated?—Yes, he certainly was.

You went and viewed the dark cell?—Yes, I did.

And you found no want of readiness to show it to you when required?—No, not the least.

You have stated, that they had soup and bread, and nothing else; and it was under that conviction you brought in that verdict?—No; it was what we had heard the deceased had said himself, that he was starving for want, as he had said to his friends, as it is taken down in the evidence.

The verdict was founded upon the supposed declarations of the deceased, and not from

from any examination of the food itself?—His mother and brother, and those respectable people, swore to these facts, and we believed them.

Did you take into consideration, that when the dietary was first altered in June last, the man said it would go seriously with him?—Yes, and he got much worse after it was altered.

Was not that declaration made before he could know what the dietary was?—I suppose it was, but he considered the loss of the meat would be very serious to him.

Did not the evidence of the relations show a pre-determination to carry the point against the officers of the Penitentiary?—I should think not; they could have no interest after the decease of the man.

Were you a long time considering your verdict?—Yes, from five minutes to five, till a quarter before ten.

Was there any difference of opinion as to the verdict?—No.

How long were you, after hearing the evidence, before you returned the verdict?—About a quarter of an hour.

And you were unanimous?—Yes, except as to the wording of it.

And there was no doubt among you, that the evidence you had received was sufficient to justify the verdict?—Yes, or else I should not have given it.

One of the jury was intoxicated?—Yes, but there were sixteen sworn, we did not rest upon him.

You did not think that the intoxication of this person, or any improper question put to Mr. Pratt, was of such weight, as to be a drawback upon the verdict you should give?—No, none whatever.

Did it cross your mind, that when you had received this evidence from the relations of the deceased, it might have been as well to have reserved to some of the managers of the prison, to inquire whether or not those statements were correct?—We did do so; we inquired for his turnkey, and we were told he was gone out of the prison, and we could not see him.

Did you inquire after any other officer?—First the taskmaster, and then the turnkey, who could give us the information as to the time of his imprisonment and release; and we also asked, if there was any other officer in the room, and we were told there was none.

You wished to obtain your information from the officers of the prison, so as to enable you to ascertain, whether the statement he had given to his friends was true?—Yes.

And you thought that the evidence was such as to entitle you to give the verdict you did?—Yes.

Did you ask whether the person who was in the room when he was turned out was in the prison?—No, we did not.

Did you ask for those records of the prison that could have informed you of the time he was confined in the dark cell?—No, the messenger said he could not tell; we asked him if he knew the time; he said he did not; we did not ask him if he had any memorandum.

Were you aware, in the verdict you were about to give, you would excite in the mind of the public more than common interest, as to this prison?—No.

Did Mr. Pratt, in his examination, state to you, that the convict laboured under any disease which was a powerful auxiliary in depriving him of life?—He said he was affected with the diarrhœa complaint, or something of that.

He stated to you he laboured under diarrhœa?—Yes, that he considered that was the case.

Did the jury consider the diarrhœa to be brought on by the diet?—Yes, we did consider so.

And that the diet was the cause of the death, and the diarrhœa the effect of the cause?—That it had brought him into that low state, and that he wanted more support.

Did you hear he had had any apoplectic fit?—Mr. Pratt stated that.

Did he state he had had more than one?—I cannot say whether he said more than one, he said he had one.

Did he state he laboured under any other complaint, consumption, or scurvy?—No; except that he had some difficulty in making water at the first onset, when he was first taken to the Penitentiary.

Did he state there was any inflammation of the bladder, in consequence of this suppression of urine?—No.

James Perry.

(July 1.)

You considered the disease, whatever it was, was brought about by the diet?—

Yes.

And that if there was an apoplectic fit, it was brought about by the diet?—Yes.

Have you ever heard that apoplectic fits were dangerous, and that few people ever survived three of them?—I have heard of several people who died of them.

Are you quite certain that Mr. Pratt did not say he had had three of them, and died in the third?—No.

Are you certain that the man did not die in those fits?—No; he was a dead man, nearly, before that; I state that from the governor's letter.

Was the governor's letter preceding the fit, or afterwards?—I do not know, it was the 23d.

Was not the letter written in consequence of the fit?—It was in consequence of illness.

What evidence had you that the man was in a dangerous state before that letter?—Mr. Pratt said he was in a very weak state before that letter, he was in the infirmary from the first of March, except a few days.

Were the jury aware in giving that verdict, they were almost giving a verdict of wilful murder?—No, because they did not consider it was wilfully done; there are many persons who cannot subsist upon that diet, it would starve some.

You did not think you gave a verdict that criminated any body?—No, not in any respect.

Are you aware, that when a patient goes into the infirmary, he is under the diet the physician chuses to order?—Yes.

Did you make any inquiry, whether he had such allowance as was ordered by the surgeon?—Mr. Pratt said he had every thing necessary.

You were satisfied he had?—Yes.

Did the coroner explain to you that the nature of the verdict was pretty nearly a charge of murder?—I never heard such an observation.

Did not Mr. Pratt state to you, this man was out of the infirmary from the 24th of March till the 3d of May?—No, I do not recollect that; I recollect his saying he was out four or five days, but taken in again.

Is this an incorrect statement of Mr. Pratt's evidence, "on the 10th of the same month, March, he was removed up again with diarrhœa, where he remained till the 24th, when he was placed in the pentagon, where he continued doing well till the 23d of May?"—I cannot say it is incorrect, but I have not got it in my memory.

You had attended several inquests before?—Yes.

Do you think any other person whose inquest you have attended, died in consequence of the same treatment that brought this man to his end?—I have an idea of that, that the treatment must be it.

You thought it was the case here particularly?—Yes, the man was a mere shadow, it struck us with horror.

It struck you that he was a man who had been starved to death?—Yes.

And in the other cases, you never witnessed so decisive a case as that?—No.

Was the body dissected?—No.

There was no ground for desiring the body to be opened?—We did not consider there was any inward complaint.

Did it appear to you how long he had had those apoplectic fits?—I never heard he had had any before the last week.

Did the coroner attempt to correct your verdict at all?—Not the least.

Nor offered any observation, to make you believe you had given an improper verdict?—No.

He read the evidence over to you very correctly?—That of every witness separately.

He did not sum it up to you afterwards?—No.

The first evidence was given very near five hours before the verdict was given?—It could not be much less.

Do you know how it happened, that you personally are summoned so frequently on the jury?—I am often summoned when I do not go.

It is oftener than your turn?—I should be very happy to be excused; it is a very unpleasant thing; the constable has a difficulty in getting a jury; sometimes workmen are summoned who are working about the Penitentiary.

Did you ever sit upon a jury with such workmen?—Yes; I recollect one instance, where there was one workman; they said he was a housekeeper, and I have heard of it from other jurymen.

Mr. John Crouch, called in ; and Examined.

*Mr.
John Crouch.*

(July 1.)

YOU were late governor of the Penitentiary?—Yes.

Were you acquainted with Charles Thompson?—Yes.

Was he reported by the taskmaster to you for misconduct, in January last?—Yes.

What was the report made against him?—He was put to wind a certain quantity of cotton, and he was the only prisoner in that ward winding the same sort of cotton; the turnkey reported him as making away with a part of it, as it was found in the water-closet. I then went to the pentagon, and asked him about it; he denied throwing it down there. I told him I was certain, from the manner and mode in which the turnkey conducted himself, that he was correct. The thing was, in short, found there; and there was no other prisoner winding the same sort of material but himself.

Did he deny it solemnly?—He did.

Can you repeat the words he used?—He said the turnkey would say any thing; he denied the thing most solemnly; after he had been in the dark cell some short period, he acknowledged to the taskmaster that he did do so.

Did he deny it with oaths?—I do not recollect.

What sort of weather was it when he was put into the dark cell?—I believe it was coldish weather.

It was after Christmas?—Yes.

Was there snow upon the ground?—I do not recollect that there was.

How long did he remain there?—Four or five days; it was on the Saturday that he was reported, and that happened to be committee day; he was reported to the committee, and the committee considering the enormity of the offence, left him to the discretion of the visitor; Mr. Mellish was the visitor, and when he came he ordered him to be liberated.

You considered his offence as an enormous offence?—Yes.

Do you usually punish persons with the dark cell for similar offences?—My punishment only lasts three days, but the committee ordered him to remain there for the discretion of the visitor; the visitor's discretion lasted two days longer.

Did you see him when he came out?—Yes.

In what state was he?—He was very well.

Did he go into the infirmary?—No, into his cell.

What food had he in the dark cell?—A pound of bread and as much water as he wished.

Did you visit him?—Yes, every day.

Did the surgeon visit him?—It is always put in the report book that the surgeon visited him, accompanied by the taskmaster.

Have you examined the report book?—No, I have not.

You are certain he appeared in good health when he came out?—Yes.

Did he complain of suffering for want of food?—I never heard it.

Did he make any complaint of that kind?—No.

Did he complain of cold?—No; he could not be cold; he had two blankets.

Is the place cold in winter?—No, it is not cold.

It is not exposed to the external air, though it is well ventilated?—No; not his cell.

Do you know whether Dr. Hutchison visited him in your company?—I do not recollect.

Richard Swift, called in ; and Examined.

Richard Swift.

WERE you taskmaster of pentagon 2, in January last?—Yes.

Did you know Charles Thompson?—Yes, I did.

State the circumstances of his case, and the report you made in January last?—The turnkey had reported to me there had been a waste of yarn found in the privy; we suspected Thompson, and I requested the turnkey to examine the privy after he had been there in the morning with his chamber pot, both before and afterwards; he did so, and found this yarn in the privy immediately afterwards.

Did the prisoner deny it?—He did, most solemnly.

What quantity of yarn was it?—I cannot tell; it was made up in cops.

How many pounds were there?—Not a pound.

Half a pound?—I cannot say; it might be half a pound.

Richard Swift.

(July 1.)

Had you lost cotton before?—Yes, but we could not ascertain who it was had thrown it there.

You had found it there before?—Yes.

Frequently?—Yes; three times, I dare say.

Can you repeat the words in which he denied it?—He solemnly denied it to the turnkey; and when the governor confined him, I accompanied him, and the governor asked him, why he wasted his yarn. Upon that he said, he had not; and he considered, that the turnkey would say anything. The governor said, he could not believe the turnkey would say such a thing, if it was false. He said, “by God, I did not do it.”

Did he afterwards confess it?—He did.

To whom?—To me; he told me he had thrown it down the privy, to conceal it from the turnkey's view; and that he had made a great deal of waste.

Did you visit him every day in the dark cell?—Yes, accompanied by Mr. Pratt.

Did he complain of suffering for want of food?—No, not to me.

Did he complain of cold?—No; he had three blankets and a bed rug.

Was the place cold?—The time of year was cold.

Was the place cold?—Yes; it could not be otherwise at that time.

Did you see him when he came out?—Yes.

In what state of health was he?—In a very good state.

Did he return to his cell, and go on in the same way as the others?—Yes, he did.

How long was it after his release, he was sent to the infirmary?—It was the first of March he was sent there.

And he was taken out of the cell on the 23d of January?—Yes.

Did he work at the crank-mill in the intermediate time?—Yes, till he went to the infirmary.

Between July the 23d and January, used he to complain of the new dietary, for want of food?—He never complained to me of it; he has complained to his friends.

Did he eat his food?—Yes; I never knew him leave any.

Was he a spare man?—Yes, very so.

Was he in good health?—He did not appear to be so; he was very much emaciated.

You are sure, that, between the first establishment of the new dietary till he was put in the dark cell, he did not complain to you of feeling hungry, and wanting more food?—No.

Did he ever complain to any one else in your presence?—No.

Do you know whether he was under solitary confinement at any other time?—No, he was not.

And this was for five days?—Yes.

Did his friends mention to you, that he had not enough to eat?—No, they did not.

In the confinement for five days, do you suppose it was prolonged on account of his denying the fact?—It might be the case, but that did not rest with me.

That was with the governor?—Yes; but he told me afterwards, if he had not known he should be liberated by his confession, he would not have confessed it because he proved himself a rogue, thief and liar.

Did he express any contrition in his cell, and was it in consequence of his expressing that contrition he was let out?—He said he should be glad to go to his cell again, and he would not be guilty of the like crime in future.

Was it in consequence of his saying he was sorry, or was he put in for any definite time?—That I cannot say; it did not rest with me at all.

Thomas Pitts, called in; and Examined.

Thomas Pitts.

ARE you one of the turnkeys of the Penitentiary?—Yes.

Were you present at any time in November last, when the deceased, Charles Thompson, saw any of his friends in the visiting cell?—Yes.

What passed on that occasion?—His mother asked him, as soon as she entered, how he was; he told her, he was very bad; she asked him what was the matter with him; he said, he was literally starved to death.

Did he say “we are starved to death,” or “I am starved to death?”—That he was.

What else took place?—And that the murdering rogues were murdering them by inches.

Did

Did you make any remark to him?—Yes; I spoke to him and desired him not to use such language as that, or I should be obliged to order him out.

Thomas Pitts.

What else?—He still persisted in other bad language of the kind, and I spoke to him a second time, and he told me that he should not hold his tongue, that I knew it was true; then I thought proper to call the turnkey to take him out.

(July 1.)

Did you make any report of that occurrence to any one?—To the then acting taskmaster.

Did you lay your hand on his shoulder, and tell him to go out of the cell?—I could not, I was not in the same apartment.

There was a wire between you and him?—Yes, a wire and bars.

You called to his turnkey?—Yes.

What did he do?—He opened the door and called him out, and the prisoner said to his mother, "good bye, they will not let me stay any longer."

Which way did you go?—I went round and joined them afterwards in the visiting cell.

Did his friends desire to see him again?—Yes.

What did you say to that?—That they must see the governor first; the taskmaster said if they wished to see the governor he would go with them, they said it was no use to see the governor or any body else, and they would not go.

Were you examined before the jury that sat upon the body the other day?—No.

What is the rule as to the communications that prisoners may make to their friends, as to the treatment in the prison; are they permitted to complain?—I have no order to the contrary.

Was it the complaint you thought it fit to interfere with, or the mode in which it was said, namely, the phrase "murderous rogues"?—The way in which he spoke of the officers of the prison; I should not have interrupted him else.

Do you mean that if he had said "we are starved to death," or "the food is not sufficient to keep us in health," or "we have too little meat," or "bread," you would not have thought it fit to interfere?—I should have interfered to tell him to be quiet, that I would fetch the governor to him, if he had any complaint to make.

Did you ever act before in that situation?—No.

Had you any instructions given you to prevent prisoners complaining to their friends of the treatment they received?—No.

Have you acted as assistant taskmaster ever since?—No, only a little while.

Have you been there when other visitors have been there?—No.

Were you present all Friday in the prison?—Yes.

Richard Swift, called in; and further Examined.

IS that the rule [*handing a paper to the witness*] as to the way in which the taskmasters are to conduct themselves, if prisoners complain to their friends?—Yes.

Richard Swift.

[*The same was handed in, and read, as follows:*]

Extract from the Taskmaster's Order Book, Pentagon N° 2.

"1820: May.—In the case of prisoners making complaints to their friends, as to their treatment in the prison, the officer attending them in the visiting cell must be instructed to refer such friends to the governor or chaplain for any explanation which they may wish, as to such complaints."

Have you the Order Book in your pocket, for the admission of friends, so that you can say what orders have been given to the friends of Thompson to see him, since June last?—Yes; [*the witness referred to a book*] there is one on the 1st of July, to see his mother; there is one on the 1st of August to see his mother and brother, and one on the 3d of September to see his mother and brother.

Is the order in August one that would be acted upon in September?—It is the 1st of August.

Have you not one that would be acted upon in September?—Yes; in September there is an order to see his mother and brother.

That would be acted upon in the early part of September?—Yes, or any other period during the month.

Is it usual to permit persons not brothers to come under that title?—No, not if it is known.

Is there any order for him to see his friends in October?—Yes.

What is the date of it?—The 1st of October; and there is an order for him to see his mother and brother on the 1st of November, dated the 28th of October.

Richard Swift.

(July 1.)

That would be acted upon in November?—Yes.

Is there any order in December?—Yes, to see his mother and brother; that is the 27th of November, and would be acted upon in December.

Have you any order for allowing them to see him in January?—Yes, January the 1st, to see his mother and brother.

Have you any order to see him in February?—No, not in February.

Can you account for your not having such an order?—It was in consequence of the report made against him.

Would he have an order in February, if he had misconducted himself in January?—No.

Is it an order that you receive, that no prisoner is to make a complaint to his friends of any thing that happens to be in the prison?—He may make that complaint, but the assistant task-master in the cell with him must refer the friends to the chaplain or the governor.

Is the mouth of the prisoner stopped, that he is not allowed to go on?—Yes, he is allowed to go on, but the assistant task-master refers his friends to the chaplain or governor for the veracity of that report.

The prisoner may make such complaints as he thinks fit, but the task-master is instructed to tell the friends to go to the chaplain or the governor, and ascertain whether they are true or not?—Yes.

Is it the rule of the prison, that a man is punished for making complaints?—No, I never knew an instance of it.

What was there in this man's conduct that warranted his being punished, for a complaint he made in January last, he having been prevented from seeing his friends?—In consequence of this report against him of his making waste of yarn.

Is it not the rule, that where a prisoner has been reported and punished in one month, that that prevents him having an order to see his friends?—Yes.

Is that a book kept regularly, and not written for this, or any other occasion?—It is kept regularly, it is the counterpart of the original order, signed by the governor.

When parties are making complaints, which they are allowed to do to a certain extent, and then are stopped, it is with a view of bringing the governor or chaplain, or both of them, into the company and society of the convict or his friends, in order that the convict may not state that which is incorrect?—Yes.

And those two officers are to come into the cell to hear the conversation?—I have never known an instance of it; we may send the friends to the governor or chaplain, I have never known an instance of the chaplain or governor being brought in.

Alexander C. Hutchison, M. D. called in; and further Examined.

Dr. Hutchison.

DO you remember the case of Charles Thompson?—I cannot say I remember the man individually, he has not been a long time in the Penitentiary; but I know such a man was under treatment in the infirmary, for in my memorandum book, which has been so often alluded to, I see his name mentioned, "March 16th, "Charles Thompson; prescribed a cathartic and afterwards fever mixture;" so that he must have been labouring under some degree of fever on that day.

Do you recollect visiting him every month from the time of his entrance in the Penitentiary till you quitted?—I believe I may say, I have seen every prisoner in the Penitentiary in the first few days of every month; it is some days before we can get through; in January last, we were four days before we completed it, so that I could not complete my quarterly report till the eighth or tenth.

Have you any recollection, that he made any complaint to you of having personally suffered of hunger and famine, and feeling a great state of debility?—No; I may be allowed to make a remark here, which is apposite to the question put, which is, that very few complaints were made to me in the male department on account of the scantiness of the provisions, they were principally confined to the females.

If this man appeared to be in a weak or languishing condition, would not you have ordered him into the infirmary, or directed the apothecary to send him some medicine?—Yes; I will state to the Committee the way in which these visits are performed; every prisoner is examined in his cell if he be there, if he is in the yard walking, we visit his cell first, and visit him in the yard afterwards, and see him pass by us; they walk two and two together, when, if I saw any prisoner look sickly or emaciated, or in any way drooping, I should select him out and ask him questions, and then come to a decision whether he was a fit subject for hospital treatment or not,

not, and treat him accordingly; the same observation applies to the prisoners in the cells; I invariably asked them how they did, if they had any bodily complaint, and according to the answer I got, so I acted; leaving him where he was, or prescribe for him, or remove him.

Your last visitation was in April?—Yes, it was.

You made a report in April?—Yes.

If in February you had seen any prisoners in a deplorably weak state, so weak as to be obliged to support himself by holding the iron bars, what should you have done?—Immediately have removed him to the infirmary; but I cannot suppose it possible, that could have happened and not have come to my knowledge, if he had remained below.

Could it have happened in the infirmary, with the surgeon going about and the turnkeys in the passage, that such a person should be in such a state in the prison without the medical officer being acquainted with it?—I should think not.

Could a person in that state work in the crank-mill?—I should think not.

Have you ever desired the removal of a convict from the dark cells on account of indisposition?—I have.

How long had that person been there?—I do not recollect; it is two or three years ago.

Did you ever prescribe medicine for a prisoner in solitary confinement?—Never.

When you visited a prisoner in solitary confinement, describe the nature of your visit?—In order that I might not depend upon what he might say, I had him brought out into the light that I might judge of his appearances, and then asked questions as to his health, or whether confinement operated upon him injuriously; and then I would feel his pulse, and say something consoling to him, and leave him.

Do you think sixteen ounces of bread a day, sufficient food for a person in that situation?—That would depend upon the length of time he was confined there.

It is in evidence that a person has been in confinement three weeks; do you think sixteen ounces of bread sufficient to preserve the health of that person for three weeks?—I think not.

By whom was the order for the pound of bread settled as the general practice of the Penitentiary?—I cannot say; it was not me.

Would it be enough for five days?—I should think a man's health could not be impaired by it for five days.

A man could not be starved to death upon it?—No; but if he was kept upon it for a considerable time, disease might be induced by it.

Is it not the rule as to prisoners upon bread and water diet, that they shall have such a quantity of food as the surgeon shall direct?—Yes, "such increase of bread" are the words.

Should you not, if you thought it insufficient, have felt it your duty to have ordered more food?—Certainly; and I have done so.

Is it not the practice of the prison, when people are put in confinement, to give them a pound of bread daily till the surgeon makes such addition as he thinks necessary?—They have bread *ad libitum* when the surgeon thinks it necessary.

Have you ever recommended to the surgeon, that a prisoner under confinement should have his bread increased?—Yes, I have.

Has it been increased accordingly?—I believe so.

Between your monthly inspections, have you any means of knowing the prisoners who have been in confinement?—No; but I have been occasionally asked to visit prisoners in the dark cells, and I have gone there.

Have you gone there at other times besides your monthly inspections?—Yes, when I have been informed of it.

The bread was good?—Yes.

By hospital treatment, you mean a better sort of diet, as well as medical treatment?—Yes; the medical diet of the Penitentiary was written out by myself, and I filled it up, as nearly as possible, according to that given in the naval hospitals.

Were the cells cold?—No; I think they were comparatively comfortable for that season of the year; I tried the thermometer there to see whether they were cold.

Do you recollect the grade of the thermometer?—No; I do not, but I have the paper at home stating it, which Mr. Pratt took for me; I will take it upon myself to say it is warmer than the upper cells.

You mean the upper gallery not warmed by the flues?—Yes.

Dr. Hutchison.

(July 1.)

Do you remember the cell in which this man was confined?—No, I do not.

Would an upper cell be as warm as an under ground one?—I think not.

Was there so much washing or swabbing in the Penitentiary as to create a moisture in the atmosphere?—There was at one time, and I represented to the committee that it would be injurious to the prisoners, and I recommended they should use a mop merely damped, and that in the summer months only; that in the infirmaries they should never do it, excepting in the morning very early, so that it would be gone off before bed-time.

Was not the case in which you complained of that, a case in which the matron stated they had brought up coals and dirtied the place?—I am speaking of the prison, not of the infirmary: I complained afterwards of the nurses washing the wards of the infirmary; I recollect in my letter to the matron referring to that statement of mine, the impropriety of washing the cells late in the evening, and sousing them with water.

*Captain Benjamin Chapman, called in; and Examined.**Capt.**B. Chapman.*

YOU are governor of the Penitentiary?—Yes.

Were you summoned on the inquest on Friday last?—It is my duty to attend to give the description from the register.

Were you desirous of staying the whole time in the room?—Yes; after I had given my evidence I thought it was right I should do so, but as I had been on a former occasion desired to withdraw, I said, if I could remain I should like it; there seemed a little degree of consultation; I was very near the coroner or his deputy; I said, "I am anxious to remain, if it can be allowed;" however, they seemed to think I ought not to remain, and I went out; indeed, I was told it would be better to go out, not by the coroner, but some of the jury.

Is Mr. Bennett, the chaplain, in town?—I believe he is not returned, he went to Cambridge to take his degree.

Were all the other witnesses ordered to withdraw?—I do not know, I was ordered out myself.

You were not desired to withdraw by the person acting as coroner?—No.

But by one of the jury?—It was the opinion of several of them; I stated that I wished to remain if it was not improper, and there was a consultation among them, they seemed to think it was not proper.

Was it the foreman of the jury?—No; the foreman of the jury found fault with some of the questions asked me, and told me not to answer them; there was one man who was offensive in his observations, he was deprecated by the rest, and I was told it was not their question.

Did the coroner interfere and state it was an open court, and that you had a right to remain?—No, he did not.

You were not told to withdraw in any offensive manner?—No, not at all; I was asked by one person, who has been described turbulent, an irrelevant question, which was condemned by the rest.

Was he sober?—I cannot say; he was rough and rude in his manner.

*Mr. John Pratt, called in; and Examined.**Mr. J. Pratt.*

DO you remember Charles Thompson before he was taken ill?—I do.

Did he ever make complaints to you of suffering from want of food, between July and Christmas last?—Never.

Do you remember in the month of February last, his being in such an emaciated state as not to be able to support himself against the door of his cell?—Certainly not.

Do you know whether he worked at the crank-mill in that month?—I believe he did.

Is it possible, according to your experience of the establishment, that any person should be in the state that has been described, without it being communicated to you from the person himself, or the turnkey?—No, it is impossible; I must have heard of it.

What, in your opinion, as a medical man, did this man die of?—Of a species of apoplexy.

What species?—A slight species; but he had two attacks before; he was in the habit of complaining of violent pain in the head; half an hour before his death he told me he was a considerable deal better, but he complained of his head.

Had he diarrhoea?—Yes.

Very

Mr. J. Pratt.

(July 1.)

Very bad?—No.

Was he under the effects of mercury?—Yes.

Was his mouth affected?—A very little.

Had he taken it long?—Not very long.

Had he taken it internally?—Yes, and rubbed it in likewise.

What sort of a man was he in his habit?—Very spare.

Was his disposition to complain?—I do not know.

Was there any disposition in the jury to open his head?—No.

Were you asked those questions that have been asked you now, by the inquest, with regard to what you considered to be the disease of which he died?—I informed them what I thought was the disease, that it was a species of apoplexy, and that he had had two attacks before.

How do you describe apoplexy; there is serus apoplexy?—Yes, this was serus apoplexy.

Did you bleed him?—No; he was blistered on the back of the neck.

Did the blister rise?—Yes, very well.

How long was that before his death?—Four days previously to his death.

Did any of the jury ask you if you considered he died from want of food?—No.

Was he not considered to be materially better the day before he had the last fit?—Yes, he was considerably better, and he expressed himself that he was better, except the pain in his head.

How do you account for his being so thin?—When he came into the prison he was in a very weak state, very much emaciated.

Why did you not bleed him?—Dr. Roget and Dr. Latham were present, and they desired a blister to be applied to the neck, and a fomentation of the bowels; he was in too low a state to be bled, he was of a spare habit.

He was not a subject such as you would say would be liable to plethora?—No; but apoplexy will arise from other causes.

Are spare persons liable to apoplexy?—Yes they are; my experience establishes that.

The physician had seen him that morning?—Yes, the very day before.

They were perfectly aware of his case, and had attended to it?—Yes; and the day I was examined here, they saw him seized with a similar fit, they thought he must have died; and when they met me here, they said they thought he was gone.

After the complaints this unhappy man made to his mother and brother, of being starved, were any reports made to you of that conversation?—No.

His friends never asked you any opinion upon that subject?—Never.

Nor to your knowledge, that of any other officer?—Not to my knowledge.

APPENDIX.

(A.)—Papers delivered in to the Committee.

DIETARY for Prisoners out of the Infirmary, General Penitentiary, 24th May 1823	p. 331
DIETARY in use at the General Penitentiary, prior to 4th July 1822	- - - ibid.
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Correspondence, II.—1. Letter from the Secretary of the General Penitentiary to the Honourable Henry Grey Bennet, Chairman of the Committee; enclosing, 2. Letter from Mr. Hobhouse by order of Mr. Secretary Peel; and Communication from Dr. Hutchison	- - - p. 340

(B.)—II. Further Papers delivered in to the Committee;—viz.

Weekly Returns to the Committee of the Penitentiary, from the Governor, Matron, Deputy Matron, and Master Manufacturer, for the week ending the 4th January 1823; showing, The number of Prisoners on that day, and the Work done during the preceding week; N ^{os} 1. 2. 3. & 4.	- - - p. 349
Returns from—the Cold Bath Fields Prison;—Saint Anne's Soho;—St. George Hanover-square;—St. Mary-le-bone; and St. Pancras Workhouses:—N ^{os} 5. 6. 7. 8. 9. 10.	p. 352

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FURTHER PAPERS relating to the Penitentiary; as ordered, by the House of Commons, to be printed, 2 May 1823. (N ^o 309.)	- - - p. 359
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(D.)

LETTER from Dr. Hutchison, 27th June 1823; to The Honourable Henry Grey Bennet, Chairman of the Select Committee on the Penitentiary, &c. &c.	- - - p. 370
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(E.)

N ^o 1.—LETTER from Mr. Morton Pitt, dated June 16, 1823, to the Chairman of the Select Committee on the General Penitentiary; with an Enclosure	- - - p. 370
N ^o 2.—Letter from Dr. Hutchison, dated 4 April 1822, to E. Bootle Wilbraham, Esq.	- - - p. 373
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N ^o 4.—Letter from E. Bootle Wilbraham, Esq. dated General Penitentiary, 30th March 1822, to Dr. Hutchison	- - - ibid.
N ^o 5.—Letter from the Committee of the Penitentiary to Dr. Hutchison, 15th July 1822; with Answers	- - - p. 376
N ^o 6.—Extract from Minutes of the Superintending Committee of the General Penitentiary, 1st & 8th February 1823; on the case of William Osband	- - - ibid.
N ^o 7.—Letter from the Committee of General Penitentiary to Dr. Hutchison, April 1823, and his Answer; on the death of Harriet Church	- - - ibid.
N ^o 8.—Description of some of the Inferior Officers employed in the different parts of the Penitentiary, for the care and management of the prisoners	- - - p. 377
N ^o 9.—Remarks upon the Employment of the Prisoners in the Penitentiary	- - - p. 381
N ^o 10.—Extract from the Infirmary Turnkey's Report Book, Pentagon N ^o 1; relating to Charles Thompson	- - - p. 387
N ^o 11.—Report of the Physicians, on the state of the Penitentiary at Milbank, 5th April 1823; as ordered by The House of Commons, to be printed, 16 April 1823. N ^o 256.	- - - ibid.
N ^o 12.—Report by Drs. Latham and Roget, upon the Penitentiary, 4th July 1823	- - - p. 394
N ^o 13.—Extracts from Minutes of Superintending Committee, March 1821, respecting the Allowance of Bread to Prisoners under confinement for punishment	- - - p. 396
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APPENDIX.

(A.)—Papers delivered in to the Committee.

General Penitentiary, 24th May 1823.

DIETARY for Prisoners out of the Infirmarys.

Breakfast and Supper.	$\left\{ \begin{array}{l} \frac{1}{4} \text{ of a pint of new milk.} \\ \frac{1}{2} \text{ a pint of water, boiled up with} \\ \frac{1}{2} \text{ oz. of flour.} \\ \frac{1}{2} \text{ lb. of white bread.} \\ \frac{1}{2} \text{ a pint of toast and water.} \end{array} \right.$
Dinner.	$\left\{ \begin{array}{l} 6 \text{ ounces of boiled beef, } \textit{free of bone.} \\ \frac{3}{4} \text{ lb. potatoes } \textit{when boiled.} \\ \frac{1}{2} \text{ lb. of white bread.} \\ \frac{1}{2} \text{ a pint of toast and water.} \end{array} \right.$

The Females the same, with the exception of only receiving six ounces of bread at each meal.

DIETARY

In use at the General Penitentiary, prior to 4th July 1822.

Daily - - 1½ lb. of bread made of such meal as the Committee may from time to time direct, for every male prisoner, above the age of 18 years; and 1 lb. for every other prisoner. But boys under 18 may have the full allowance of bread, if the governor and chaplain shall certify at the commencement of the week that their conduct has been meritorious during the week preceding.

For Breakfast - - - - - 1 pint of hot gruel or porridge.

For Dinner	Sundays	$\left\{ \begin{array}{l} 6 \text{ ounces of clods, stickings, or other coarse pieces of} \\ \text{beef (without bone and after boiling,) with half a pint of} \\ \text{the broth made therefrom.} \\ 1 \text{ lb. of boiled potatoes.} \end{array} \right.$
	Tuesdays	
	Thursdays	
	Saturdays	
	Mondays	$\left\{ \begin{array}{l} 1 \text{ quart of broth for the males, and one pint for the} \\ \text{females, thickened with Scotch barley, rice, potatoes or} \\ \text{pease, with the addition of cabbages, turnips, and other} \\ \text{cheap vegetables.} \\ 1 \text{ lb. of boiled potatoes.} \end{array} \right.$
	Wednesdays	
	Fridays	

For Supper - - - - - 1 pint of hot gruel or porridge.

N.B.—Prisoners may reserve such part of the provisions previously delivered out, as they please, for their supper.

Salt and pepper as the Committee shall from time to time direct.

The only liquor allowed to prisoners in health (except broth, gruel or porridge) shall be water.

Prisoners confined to bread and water diet for punishment, shall be allowed such quantity of bread as the surgeon may think necessary.

Prisoners employed in works of extraordinary labour, or under circumstances which may render it necessary, may be allowed an addition to the quantity of their provisions, by the direction of the Committee.

Memorandum:

Female prisoners employed in the wash-house shall be allowed an addition of ½ lb. of bread, and an allowance of meat on washing days, until the further orders of the Committee.

APPENDIX

(A.)

DIETARY

Introduced at the General Penitentiary, on the 4th July 1822.

In the morning - Three quarters of a pound of bread, and one pint of gruel for the males; and nine ounces of bread, and three quarters of a pint of gruel for the females.

At noon - - Three quarters of a pound of bread, and one pint of soup for the males; and nine ounces of bread, and three quarters of a pint of soup for the females.

In the evening - One pint of soup for the males, and three quarters of a pint for the females.

The soup to be made with ox heads, in lieu of other meat, in the proportion of one ox head for about 100 male prisoners, and the same for about 120 female prisoners; and to be thickened with vegetables and pease, or barley alternately, either weekly or daily, as may be found most convenient.

The Committee to substitute at their discretion, potatoes for bread, at the rate of 1 lb. of potatoes for $\frac{1}{2}$ lb. of bread.

The only liquor allowed to prisoners in health (except broth or gruel,) shall be water.

Prisoners confined to bread and water diet for punishment, shall be allowed such quantity of bread as the surgeon may think necessary.

Prisoners employed in works of extraordinary labour, or under circumstances which may render it necessary, may be allowed an addition to the quantity of their provisions, by the direction of the Committee.

Wardsmen, and those employed in the kitchen and bakehouse, shall be allowed $\frac{1}{2}$ lb. of bread extra daily.

Female prisoners employed in the laundry, shall be allowed $1\frac{1}{2}$ lb. of bread daily, with a double allowance of soup at dinner and supper, on the days in which they are employed in washing; viz. Mondays, Tuesdays, and Wednesdays.

Wardsmen, and those employed in the kitchen, shall be allowed $1\frac{1}{2}$ lb. bread daily.

N° 1.—Extract from Minutes.

At a Meeting of the Superintending Committee, held 22d March 1822 ;

THE subject of the Dietary resumed consideration of, and a Report thereon by Dr. Hutchison submitted and read.

Resolved, THAT application be made to Sir James M^cGrigor, M. D. director general of the army medical board, by letter signed by the chairman, and transmitted through Lord Palmerston, requesting him, if he can make it consistent with his other engagements, to appoint a time for examining the state of the prisoners in the Penitentiary, and afterwards furnishing the Committee with a scale of diet such as he may deem sufficient.

N° 2.—Copy Letter to Sir James M^cGrigor, M. D.

Sir,

General Penitentiary, 22d March 1822.

THE Committee of the Penitentiary having had under their consideration the dietary of the prisoners confined in that establishment, which has been suggested to be more ample than is necessary for persons in their situation, are desirous of obtaining the best medical opinion upon the propriety of reducing it; and, with this view, have to request, that if Sir James M^cGrigor can make it consistent with his other engagements, he would have the goodness to appoint a time for examining the state of the prisoners in the Penitentiary, and afterwards of furnishing the Committee with a scale of dietary, such as he may deem sufficient.

The Committee transmit a Copy of the Rules of the Penitentiary, in which the present Dietary will be found, page 38.

They beg to remark, at the same time, that it would greatly conduce to the safe custody of the prisoners, if sufficient nourishment could be obtained without the use of solid meat, as it would supersede the use of knives in the prison.

It may perhaps suit Sir James's convenience to be informed that the Committee meet to-morrow sev'night at 12 o'clock.

I have the honour to be, Sir, your most obedient servant,

Sir James M^cGrigor, M. D.

(signed) C. Bathurst.

&c. &c. &c.

N° 3.—Report by Sir James M^cGrigor, M.D.APPENDIX
(A.)

Sir, Army Medical Department Office, 27th April 1822.

I HAVE the honour to state, that, in compliance with the desire expressed in Mr. Bathurst's letter of the 22d March, I have twice visited the General Penitentiary, seen all the prisoners, and observed their dietary, and the portion of labour exacted of them, in order to enable me to form an opinion if the diet be more ample than is necessary for persons in their situation. Having given this subject the best consideration in my power, I beg to state to the Committee, that the scale of diet appears to me liberal in all its parts; and I am of opinion, that if half a pound of bread was deducted from each male prisoner, and two ounces from each female, the diet will remain quite ample; and I do not apprehend that this deduction will in any way affect the health of the prisoner, or occasion a falling off from the remarkably healthy appearance which they now exhibit.

I beg leave to state my further opinion, that if the liberal portion of boiled meat afforded be concentrated and mixed with a portion of broth, it will be equally nutritious to the prisoners, as if given in the solid form, and that if thus given, the use of knives and forks will be rendered unnecessary to the prisoners.

I beg to add, that I will have the greatest pleasure in attending to the wishes of the Committee, or of yourself, in any way my further services may be useful, and I have the honour to be,

George Holford, esq. M.P.
&c. &c. &c.

Sir, your most obedient humble servant,
(signed) J. M^cGrigor,
Director General Army Medical Department,

N° 4.—Extract from Minute.

At a Meeting of the Superintending Committee, held 24th May 1822 ;

Present:

Right Honourable Charles Bathurst in the Chair.

George Holford, esq. M. P.

William Morton Pitt, esq. M. P.

Giles Templeman, esq.

Honourable F. G. Calthorpe, M. P.

Davis Gilbert, esq. M. P.

Rev. Thomas Rennell, B. D.

Edward Bootle Wilbraham, esq. M. P.

Resolved, THAT the following Dietary be adopted, so soon as the same shall have received the sanction of the Judges, in the place of that at present in use, viz.

Daily bread for males, 1 lb. 8 oz. and for females 1 lb. 2 oz.

gruel - - - 1 pint - - - - - $\frac{3}{4}$ of a pint

soup - - - 1 quart - - - - - $1\frac{1}{2}$ pint

The soup to be made of ox heads in lieu of other meat, in the proportion of one ox head for about 100 male prisoners, and the same for about 120 female prisoners, and to be thickened with vegetables, and with pease or barley alternately, either weekly or daily, as may be found most convenient, seasoned with salt and pepper.

The Committee to substitute, at their discretion, potatoes for bread, at the rate of 1 lb. of potatoes for half pound of bread.

N° 5.—Extract from Minute, 31st May 1822.

At a Meeting of the Superintending Committee, held 31st May 1822.

Present:

E. B. Wilbraham, esq. M. P. in the Chair.

Giles Templeman, esq.

George Holford, esq. M. P.

Hon. F. G. Calthorpe, M. P.

William Courtenay, esq. M. P.

William Morton Pitt, esq. M. P.

The Minute of last meeting read and confirmed.

THE corrections, alterations and additions lately made to that part of the rules and regulations touching prisoners, read and approved of, and—

APPENDIX
(A.)

Resolved, THAT the same, together with the new proposed diet, be transmitted to the Chairman (Mr. Wilbraham) to be by him laid before the Judges, for their sanction.

N° 6.—Extract from Minute, 11th January 1823.

At a Meeting of the Superintending Committee, held 11th January 1823.

THE medical officers Monthly and Quarterly Reports, submitted and read.

It appearing from these Reports, from the surgeon's (Mr. Pratt) journal, and from a letter which he had addressed to the visitors on the subject, that the number of cases in the female infirmaries, have, since Christmas, increased in a ratio far beyond all former precedent, the Committee proceeded to take the matter into consideration.

Of the number at present in the female infirmaries, being 63, one only is stated as being seriously ill, the diseases of the rest being chiefly pulmonic affection or common catarrhs, complaints of the stomach, and a very few of slight fever, not attributable to any particular cause.

To remedy the want of room in the female infirmaries for the accommodation of so many patients, the visitor (Mr. Mellish) had, at the beginning of the week, given directions to occupy the large room belonging to pentagon, N° 6, (male division,) and to shut up the communication.

In the male infirmary no remarkable increase has taken place, there being at this time only 18 patients, who are all doing well, with the exception of two labouring under consumption, and no hopes of recovery.

Having consulted the medical officers, it was in the mean time—

Resolved, THAT until further orders, a pint of gruel be furnished to each female prisoner, in the evening, in place of soup:

N° 7.—Extract from Minute, 8th February 1823.

At a Meeting of the Superintending Committee, held 8th February 1823.

IT appearing from the surgeon's (Mr. Pratt) journal, and monthly report, that some few cases of scurvy have occurred, and in consequence of the remarks made by him, as to the present dietary—

Resolved, THAT Sir James M^cGrigor, M. D. be requested to visit the prison, and state his opinion of the effects of the dietary.

N° 8.—Copy Letter to Sir James M^cGrigor, M. D.

Sir,

General Penitentiary, 8th February 1823.

UPWARDS of seven months having now elapsed since the new dietary was established, the Committee will be much obliged to you, if you would take the trouble to visit the Penitentiary, and state your opinion of the effects of such dietary.

The Committee are the more inclined to make this request, as a greater degree of illness has prevailed in a part of the prison, than in former winters.

I have the honour to be, Sir, your most obedient servant,

(signed) *George Holford.*

Sir James M^cGrigor, M. D.

N° 9.—Extract from Minute.

At a Meeting of the Superintending Committee, held 22d February 1823.

THE report of Sir James M^cGrigor, M. D. read; in which he states, that "having seen the whole of the female, and many of the male prisoners, he found them not in an unhealthy state; and, from a minute inspection of the infirmaries, he ascertained, that while the proportion of sick was small for the season, their diseases were not, but in a very few instances, of a serious character, and not attributable to diet or confinement."

N° 10.—Report of Sir James M^cGrigor, M. D.APPENDIX
(A.)

My dear Sir, Army Medical Department Office, 17th Feb. 1823.

I REGRET that pressure of business has prevented my writing you on Friday, as I promised, when I had the pleasure of accompanying you through the Penitentiary, on the 14th instant.

Having seen the whole of the female and many of the male prisoners, I found that they were not in an unhealthy state. From a minute inspection of the prisoners in the infirmaries, I ascertained, that while the proportion of sick was small for the season, their diseases were not, but in a very few instances, of a serious character, and not attributable to diet or confinement.

I beg leave to suggest, that returns be furnished :

1st.—Of the number of persons, distinguishing male from female,

From 14th February to 13th July 1821.

14th July 1821 - 13th Feb. 1822.

14th Feb. - - - 13th July: —

14th July - - - 13th Feb. 1823.

2d.—For each of these periods, the diseases, classed in some form, as fever, pulmonary, flux, &c. &c. and distinguishing male from female.

3d.—The deaths, specifying names, diseases, period of confinement, as well as period in hospital before death, for each of the periods as above.

Although such a statement as this cannot give conclusive evidence, that the small change in the diet has wrought a change on the number or nature of the diseases which has appeared, it will go some way.

I beg to assure you, that in any thing I can do, I am ever at your command.

Believe me, my dear Sir, most truly your's,

J. M^cGrigor.

N° 11.—Extract from Minute directing a Special Committee.

At a Meeting of the Superintending Committee, held 22d February 1823.

Resolved, THAT the Committee be summoned to meet on Friday next, at one o'clock, for the purpose of taking the present state of sickness and dietary into consideration; and that the Rev. Mr. Rennell and Geo. Holford, esq. meet at half past eleven, to examine the cash book for last year

N° 12.—Extract from Minute.

At a Special Meeting of the Superintending Committee, held the
28th February 1823.

THE Committee having met on special summons, to consider what steps should be taken, in consequence of the unusual degree of sickness which has of late prevailed in the prison.

Resolved, That two physicians be professionally employed to visit the infirmaries, to communicate with Dr. Hutchison and Mr. Pratt, and to give such directions for the treatment of the patients as they may think proper; and that they be requested to direct their attention to the causes of such sickness, and particularly to inquire how far the same is to be ascribed to the dietary. That for this purpose they be desired to meet either daily, or so often in the week as may appear to be necessary, and for such period as may enable them to form a decided opinion upon the subjects referred to them.

Resolved, That Dr. Maton and Dr. Latham be requested to accept of this duty.

Resolved—That Sir James M^cGrigor be requested to endeavour to meet with these gentlemen at the Penitentiary during the investigation, and favour them or the Committee with any remarks that may occur to him.

APPENDIX
(A.)

N° 13.—Extract from Minute.

At a Meeting of the Superintending Committee, held 1st March 1823.

DR. MATON having declined the invitation to attend the prison, the visitor, Mr. Courtenay had applied to Dr. Roget, who, accompanied by Dr. Latham, waited on the Committee, and afterwards proceeded to the inspection of the infirmaries and the prisoners, generally.

CORRESPONDENCE:—I.

N° 1.—Copy Letter from William Courtenay, esq. to William Morton Pitt, esq.

Dear Sir,

Duke-street, 8 May 1823.

A LETTER has appeared in the public newspapers upon the subject of a late inquest at the Penitentiary, and signed by Dr. Hutchison, in which amongst other things are contained the following statements; viz.—

“ I have been understood, by a great portion of the public, as the adviser of the diet, and that I was the medical man alluded to, which may seriously affect my professional character. Both imputations are unfounded; for the scheme of diet therein adverted to was one I disapproved, and was adopted contrary to my opinion and advice.”

The Committee have been a good deal surprized at these statements; for we do not find any letter or statement of Dr. Hutchison's about the time of fixing the dietary, expressive of his disapprobation.

As we have to ask the benefit of your assistance here, we cannot be certain as to what communications might be made to you upon this subject, and therefore I am desired to trouble you with this letter, to request that you will inform us, whether you are aware of any letter or statements in which the disapprobation alluded to was expressed.

The scheme of dietary, which was adopted in July last, being in your hand-writing, we presume that such disapprobation had not been expressed to you; and indeed, when that scheme was resolved upon by the Committee, we distinctly understood from you, that any objections which Dr. Hutchison might have entertained to the proposed alteration, had been removed, and that he acquiesced in such alteration.

Have the goodness to give us any information in your power upon this point.

I am, dear Sir, yours faithfully,

(signed) *W^m Courtenay.*

N° 2.—Copy Letter from William Morton Pitt, esq. to William Courtenay, esq.

Dear Sir,

Dover-street, May 9th, 1823.

I HAVE to acknowledge the receipt of your letter of yesterday's date.

The subject of the alterations of the dietary at the Penitentiary was in agitation, to the best of my recollection, from an early period in the last year, though not finally determined upon till the month of June, and about three weeks after I left London. But I should think myself acting a very mean part, if I endeavoured to take advantage of my absence, and if I did not take a very full share of the responsibility of having recommended that measure. I had long been of opinion, that the original diet at the Penitentiary was much too high for persons under the circumstances of those for whom it was intended. I compared its dietary with those in other prisons, and found that it far exceeded in that respect any in this kingdom.

Having for nearly 40 years been a visiting magistrate of the prison at Dorchester, it was not unnatural that I should feel some bias towards the practice adopted in that place; and in my own justification I must beg leave to enter a little at length on this part of the subject. For about 14 or 15 years past our Dorchester prisoners have been excluded from any solid meat whatever, and their food has been, invariably, 1½ lb. of bread, made of the whole produce of the wheat, without taking out any bran, pease soup or barley broth (in which was boiled a very small proportion of coarse meat, and very inferior to the soups at the Penitentiary,) either alternately or as was found convenient; and water.

The surgeon of the gaol at Dorchester had doubts in his mind at first, whether food of this description would be sufficient for the purposes of health and strength; but considering the advantage likely to result to the public from every measure which

which tended to rendering a prison an unenviable situation, he determined to suspend declaring such doubt for a time, but narrowly to watch the effects, if any, produced by the diet in question, with the intention of making the objection so soon as he should find grounds for it, but not sooner. This objection he has never made, and he has always found the general health of our prisoners to have been good in a greater degree than falls to the lot of the generality of mankind. There is one circumstance which I should notice, that whereas, previous to the adoption of that diet, fluxes were complaints often prevailing in that prison, the instances of that disorder have scarcely ever occurred since its adoption;—strongly impressed in its favour, thus grounded on long experience, and firmly believing it to be most healthy food, I mentioned our Dorsetshire practice, and it appeared to meet with the approbation of several members of the Committee.

Whilst this matter was in agitation, I had several conversations with Dr. Hutchison; I found that he agreed with me in thinking that our first dietary ought to be materially reduced, but he unquestionably never, in any of our conversations, receded from this point, that, *in his opinion, some solid meat should be given.* I left London the latter end of May, with, most certainly, a strong personal prepossession in favour of our Dorsetshire system, without being convinced by the force of Dr. Hutchison's objections, which I really thought would hereafter be removed, by his not finding, when tried, the ill effects he expected, realized, and myself conceiving that this diet might be adopted, not only without inhumanity or any risk of health, but really the reverse; and I urged several of my friends on the Committee to bring this very important matter, in my judgment, forward for consideration and decision, before the Committee should separate for the summer. In June, I received a letter from a member of the Committee, informing me that the plan had been adopted; whether any reference was made after I left town, and immediately before the adoption of the measure, to Dr. Hutchison, I was not informed of, and my supposition naturally was, that there had, and that if his preference continued to be in favour of a *certain though reduced* portion of solid meat, yet that, perceiving it to be the tendency of the sentiments of the Committee to adopt the Dorsetshire system, he (in the same manner as the surgeon of the Dorchester gaol had done) waited to observe the effect to be produced by the alteration, when, if necessary, he could restate his objection on the basis of actual experiment. If the point was not referred to him formally, and he felt a disposition to acquiesce, as far as his duty would permit him, in the apparent, and may I say laudable, wishes of the Committee, to introduce a system of food more adapted to the nature of the case, he might not think it necessary, unasked, to repeat his former sentiments, and if it was referred, his written representation in answer to that reference, will prove what were those sentiments.

For a considerable time, as I understand, no inconvenience was found to exist; I therefore am led to suppose, that the lamentable increase of sickness of late is probably much more to be attributed to the universal unhealthiness of the season, than to the alteration of diet.

It appears, from documents now before the House and the public, that Dr. Hutchison has ascribed the disorder in question in a great degree to the want of air and exercise; I must admit, that the employment of the prisoners in the gaol at Dorchester is almost universally in the open air, principally in gardening, &c. and of late in the tread mill, whereas that of the Penitentiary prisoners is chiefly sedentary; that the terms of imprisonment at Dorchester are usually from a few months to two years at the most; that the inhabitants of the country are a more hardy race, and accustomed through life to a more simple fare: all these may produce a material difference; yet still the bias on my mind is very decidedly, that the illness, if not wholly, or even perhaps in any degree, attributable to a diet far superior to that of millions of persons who are at large in this kingdom, work hard, and maintain themselves and families, without injury to their health.

I cannot conclude this letter, without taking the opportunity of adverting to the dilemma in which I find myself placed. On the one hand, I have felt myself called upon by friendship for Dr. Hutchison, to express in my letter to him, and which he has inserted in his pamphlet, the regard and esteem I entertain for him, whilst on the other, I may appear by so doing to be taking part against those friends with whom I have so long been in committee. Circumstances compel me not to be silent: I regret it extremely indeed, but I have considered the line I have taken to be a paramount duty. Feeling, as Dr. Hutchison has felt, and still feels, I cannot discover any thing objectionable in his expression of those feelings, or in the *tone*

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of that letter, which has caused him to be dismissed from his situation ; and, judging from what I have myself observed of his attention to the performance of his duties, and from his character for so many years, I cannot, consistently with what I conceive to be the truth, disguise the opinion I have formed, that unfortunate circumstances have caused steps to be taken, which grievously, and I must say that it appears to me, undeservedly, do injure his character. Called upon, as I am, for a statement, and connected, as that statement must be, with my sentiments on this subject, I must represent them as they are.

Considering how much he has at stake, and your letter as official, and written as Chairman of the Committee and *not private*, I trust it will not be deemed improper in me to have communicated to him your, as well as this, my answer.

I remain, my dear Sir, your's faithfully.

(signed) *W. M. Pitt.*

N° 3.—Copy Statement from Committee to William Morton Pitt, esq.

General Penitentiary, 17th May 1823.

MR. PITT's letter of the 9th instant, to Mr. Courtenay, in answer to one from him of the 8th, has been laid before the Committee ; and although Mr. Courtenay's letter was not written by him as chairman of the Committee, it was written by their desire, and Mr. Pitt was therefore quite at liberty to treat it as a public letter, and to communicate it, together with his answer, if he thought fit, to Dr. Hutchison.

The object of Mr. Courtenay's letter was, to obtain such account as Mr. Pitt might be able to give, from recollection, of a communication made by him to the Committee on the 24th of May last, respecting the sentiments of Dr. Hutchison on the dietary then adopted.

Mr. Pitt's answer of the 9th, now laid before the Committee, admits very fully the part he took in recommending the new dietary. He states, that " leaving town " before it was determined upon, he urged several of his friends to bring it forward, " for consideration and decision, before the Committee should separate for the " summer ; and that in June he received a letter from a member of the Committee, " informing him that the plan had been adopted." He mentions, that, " while this " matter was in agitation, he had several conversations with Dr. Hutchison ;" but that " agreeing with him (Mr. Pitt) that the former dietary ought to be materially " reduced, he unquestionably, never, in any of their conversations, receded from this " point ; that, in his opinion, some solid meat was necessary ;" and Mr. Pitt states himself to have naturally supposed, that some reference to Dr. Hutchison, concerning the dietary, had taken place after he left town, and immediately before the adoption of the measure.

In this letter, which appears to the Committee to have been written hastily, from an anxiety to return an answer to the inquiry addressed to him, without delay, the Committee think that Mr. Pitt has fallen into some mistakes.

The new dietary was adopted on the 24th of May last, at a meeting of the Committee, which had been specially summoned for the purpose of taking this important subject into consideration. The meeting consisted of nine members of the Committee, of whom Mr. Pitt was one ; and Mr. Bathurst, who was not in the habit of attending, unless particularly requested to be there on business of consequence, was in the chair.

The dietary was not transmitted to the Judges for their sanction on that day, it being intended to send with it for confirmation a few alterations in the rules, which were not quite prepared ; but the altered rules having been laid before the next meeting of the Committee, held on the 31st of May, a resolution for sending these rules to them, together with the dietary, was then passed ; and at this meeting also, Mr. Pitt was present.

These dates admit of no doubt, being proved by the minutes ; but the recollection of more than one of the members of the Committee, goes on to the fact of Mr. Pitt's having introduced the new dietary (the original of which is among their papers, in his own hand-writing,) with a detailed verbal account of a communication which he had held with Dr. Hutchison, in which the latter acquiesced in Mr. Pitt's proposed dietary, and expressed himself satisfied that it might safely be put in operation.

It can hardly be supposed that the Committee would have proceeded to determine upon this dietary, without some reference to Dr. Hutchison, unless they had conceived themselves to have been apprized of his sentiments in regard to it, particularly

larly when the decision was not an unanimous one, there being one member present who was averse to the change.

The Committee also believed that Mr. Pitt had the sanction of Dr. Hutchison for the number of ox heads to be used for the soup. The dietary, mentioned by Dr. Hutchison, in his letter of the 22d of March 1822, which is for six days in the week, the same with that adopted by the Committee, viz. brown bread, gruel and soup, specifies the soup to be as then made (*or of ox cheek,*) although the words underlined do not appear in the paper printed by Dr. Hutchison for circulation among his friends, but Dr. Hutchison says nothing about the quantity of ox cheek; it was, therefore, natural to suppose, that, as Mr. Pitt had conferred with him upon the dietary, he had conformed to Dr. Hutchison's views in this particular. It now certainly appears, that Dr. Hutchison had not at that time any distinct notion of the quantity of sustenance to be derived from an ox head; for in his letter to the Committee, dated on the 28th February, eight months after the dietary had been in operation, he states, that on strict inquiry, he finds that the animal matter of the largest ox head weighs only 18lbs. and taking the smallest at 14lbs. he fixes the average weight of the head at 14lbs.; whereas, on the 19th of April, he reasons upon the weight of animal matter derived from each ox head as being only 8lbs. or, at most, 9lbs.

As Mr. Pitt has adverted to his letter of the 26th of April, to Dr. Hutchison, which has been published by him, if not with Mr. Pitt's previous consent, at least without any disapprobation expressed on his part, the Committee think it right to make a few observations upon that letter.

Mr. Pitt's letter to Dr. Hutchison contains a general and unqualified approbation of his conduct at the Penitentiary, and a charge against the officers of the prison of being concerned in "cabals," and in "a system of malicious tale bearing," which Mr. Pitt assumes that the Visitors omitted to discourage.

The Committee do not dispute Mr. Pitt's right to publish his testimony in favour of Dr. Hutchison, however it may bear upon them, provided it be so given as to enable those who may read it, duly to estimate its value, and to understand distinctly to what portion of Dr. Hutchison's conduct it relates; but when Mr. Pitt states, that he has been a Member of the Committee of the Penitentiary from the beginning, till within a few days of the 26th of April last, and proceeds shortly after to say, that "every part of Dr. Hutchison's conduct, which had come to his knowledge, had appeared to him most correct," the Committee feel, that he ought not to have omitted to state, that although his name stood in the list of the Committee till within a few days of the date of his letter, he had never attended any of their meetings since that of the 31st of May 1822; a circumstance which would fairly lead to a presumption, that he might be unacquainted with various facts which came before the Committee relative to Dr. Hutchison, since that time.

Dr. Hutchison states as follows, in his printed letter:—"At a particular period last year, there was an organized plot to take away my character, by an imputation of ebriety, proved to be unfounded, to the satisfaction of yourselves, the Committee." The statement which Mr. Pitt would have received from that Committee, of which he was till lately a member, if he had made any inquiry on the subject, would have been a very different one.

In June last, a very grave charge was made against Dr. Hutchison, of which the Committee do not think it necessary now to enter into the particulars. It was not a malicious tale, the result of cabal or intrigue, but it was a statement regularly communicated through the proper channel, the Visitor (Mr. Courtenay,) to the Committee, and it was then, and is still, believed by the Committee to be true.

When Dr. Hutchison was first made acquainted with the charge, he appealed to some of his private friends to come forward in support of his character; but when these friends had seen and communicated with some of the members of the Committee, they were satisfied that Dr. Hutchison had been most kindly dealt with; and, by their advice and persuasion, he wrote a letter to the Committee, expressing sentiments of the highest gratitude for their very friendly and most kind demeanour towards him." Ever since that time, however, he has behaved to the chaplain, whom he erroneously suspected to be the author of the accusation against him, with marked disrespect, by withholding from all communication whatever with him; and has conducted himself in such a manner towards the matron, and the nurses in the infirmaries, as to deprive the establishment of the benefit of that co-operation, between the different persons engaged in the care of the prison, which is essential to the welfare of the prisoners. When Dr. Hutchison speaks, in his printed

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letter, of having been "not only exposed, during the last twelve months, to slights and detractions, and fabricated imputations upon his character," but "harassed and insulted by numberless and nameless thwartings, misconstructions and secret intrigues, which," he says, "are well known to the Committee;" of "having been goaded beyond all human endurance," and of "treading upon covert and insidious embers, where he was surrounded on all sides by traps and pitfalls," the Committee no more comprehend what is meant by such language, than they understand the meaning of Mr. Pitt's remarks, concerning "jealousies and cabals amongst their officers," and "a system of malicious tale-bearing."

With reference to that part of Mr. Pitt's letter, which states it to have been a fundamental error at the Penitentiary, "that, with the exception of the newly appointed governor, those who have been appointed to that office have never been invested with the powers due to their situation, and necessary to maintain order and subordination;" the Committee think it right to observe, that the present governor is not invested with any other powers than those intrusted to his predecessors; and although the Committee have long thought, as Mr. Pitt does, that it will conduce very much to the well-being of the Penitentiary, to have a governor at the head of it of a different rank in life from that of the persons who have filled that situation before the late appointment, yet their opinion on this point is not at all connected with any supposed necessity for putting an end to the malicious system or practices which are alleged in Mr. Pitt's printed letter, and that of Dr. Hutchison, as they have no knowledge of the prevalence of any such evils in their establishment; and they consider it to be no more than is due to their officers, to declare their belief, that this imputation upon their characters is wholly without foundation.

CORRESPONDENCE II.

— 1. —

Sir,

General Penitentiary, 24th May 1823.

IN pursuance of two several orders of the Committee of the House of Commons on the Penitentiary, I have the honour of transmitting to you, as chairman, by direction of the Superintending Committee of this establishment, a copy of Mr. Hobhouse's letter of the 25th of April 1823, calling for information respecting the death of *Ann Martin*, with the answer made by order of the Committee thereto; and a copy of Mr. Hutchison's letter to the said Committee, of date 2d May 1823.

I have the honour to be, Sir, your most obedient servant,

To the honourable Henry Grey Bennet, Chairman,
&c. &c. &c.

Robt Auld, Secy.

— 2. —

Gentlemen,

Whitehall, 25th April 1823.

I AM directed by Mr. Secretary Peel, to desire that you will transmit to me, for his information, a statement of the circumstances connected with the death of *Ann Martin*, late a convict in the General Penitentiary at Milbank, on whose body an inquest was held by the coroner for Westminster on Tuesday last.

I have the honour to be, Gentlemen, your most obedient humble servant,

To the General Committee of the
Penitentiary at Milbank.

(signed) *H. Hobhouse.*

Sir,

General Penitentiary, 3d May 1823.

I AM directed by the Superintending Committee of this establishment, to transmit to you the following Statement, in answer to your letter of the 25th ult. requesting to be furnished with an account, for the information of Mr. Secretary Peel, of the circumstances connected with the death of *Ann Martin*, a prisoner, on whom an inquest was held on Monday the 28th of April.

Ann Martin died of gangrene, succeeding to a disease of the spine of long standing, after being in the infirmary for about four months, viz. from the 20th to the 24th December 1822, from the 31st of that month to the 15th of January 1823, and from the 19th of that month to the 20th of April last, on which day she died.

Her disorder was at first supposed to be a rheumatic cold, as she complained of pains in the back and loins. It appears that a plaister was applied to her back as early

early as the 30th of December; and the general treatment to which she was subjected in the infirmary, was such as is calculated for the cure of rheumatism. Towards the latter end of February her complaints became of such a nature as to indicate disease in the spine; and it was then learned, from herself, that she had met with an accident many years before she came into the Penitentiary, by which her back had been very seriously injured, and, in consequence of which, she had been, during a considerable time, a patient in St. Bartholomew's hospital, as appears from the evidence of Sarah Martin, the deceased's sister, before the coroner, and confirmed by her mother, who attended the funeral.

She was not, during any part of her illness, affected with the scorbutic disease, which has been lately prevalent in the prison.

The verdict of the coroner's jury, upon this occasion, was as follows:—"The deceased, Ann Martin, between July 1822 and January last, became unwell and disordered in her body, occasioned by the short allowance and the quality of the provisions given her in the said prison; that on the 19th January last she was removed into the infirmary thereof, complaining of want of power in her legs, so as not to be able to support herself long, and which disease gradually increased, and she became paralysed, her stools and urine passed involuntarily, large ulcerations took place on the right thigh, which mortified and caused her death."

To account for a verdict so much at variance with the facts above stated, it will be necessary to mention what passed before the coroner on this occasion. After a short examination of the surgeon, the jury called in Sarah Martin, sister to the deceased, who had been confined in the same cell with her in the prison previous to her removal into the hospital, and had been allowed to remain with her there during the last month or five weeks of her illness; before this prisoner was examined, the jury insisted that all persons connected with the prison should withdraw, lest the witness should be under any fear or embarrassment while she gave her testimony; of this proceeding the Committee do not complain; but they do consider it as a just cause of complaint, that the jury should have found a verdict upon the testimony of this witness, without communicating her evidence to any of the officers of the prison, in order that it might be explained or contradicted;—without any attempt to discover the nature of the disease of which the prisoner died, by the examination of the persons who attended upon her in the infirmary, and by the medicines or applications administered to her there; and without any particular inspection of the body on which the inquest was held, on which they would have found the scars of the issues opened in the back of the deceased many years ago, for the cure of those complaints connected with a diseased spine, the recurrence of which complaints, and not the want of sufficient food, was the occasion of her death.

The evidence, however, of Sarah Martin, although very erroneous, and evidently insufficient to account for the death of the deceased, near four months after the time to which it must relate, has been so entirely mis-stated in the public newspapers, that the Committee have thought it right to subjoin to this letter, for the information of Mr. Secretary Peel, a copy of the testimony as it stands in the coroner's minutes. The Committee have thought it better not to put any questions to Sarah Martin, in regard to the evidence she has given; and it would be difficult now to ascertain what proportion of the provisions delivered out, Ann Martin was in the habit of consuming previous to her removal to the infirmary; but the Committee have not been able to discover that any part of it was returned.

I have only further to state, in excuse for the delay in answering your letter, that the Committee thought it their duty to call upon their late medical superintendent (Mr. Hutchison) for information respecting the medical treatment of the deceased in the infirmary, and the causes of her death, he having been in charge of the infirmary when she was removed to it in December and January last, and having continued in the superintendence thereof until twenty-four hours of her death, which had been anticipated for a long time.

The Committee accordingly, on receipt of your inquiry, directed a letter to be written to Mr. Hutchison, a copy of which is hereunto annexed, to which no other answer has been yet returned, than a short note addressed to the Secretary, a copy of which is also annexed.

I have the honour to be, Sir, your most obedient humble servant,

Henry Hobhouse, esq. (by order of the Committee)

&c. &c. &c.

(signed)

Robt Auld, Secy.

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Sarah Martin, late of the parish of St. Giles, Middlesex, and now a prisoner in this Penitentiary, on her oath deposeth,—

The deceased was my sister; she was first taken ill with a cold in November last, she wrote for the doctor to admit her into the infirmary, where she was admitted three days after; she was removed to the pentagon; she was again admitted into the infirmary in January. I was not allowed to remain with her until the 24th of March. She became unwell soon after the short allowance was regulated, and was very indisposed at times, until she was finally admitted into the infirmary; the diet affected her inside, as it did mine, and also others. Since the full allowance of victuals there has been no reduction of it. The deceased hurt her back when she was about six years old; but when she recovered from that, which was about two years after, she continued in good health, until the time before-mentioned, when she was in this prison, and the short diet commenced. Her illness was brought on through want, as she could not eat the victuals allowed her, and could not procure other victuals; she tried to eat the said victuals, but could not; she eat the soup as long as she could, but was unable afterwards to take it; this the people of the prison knew. As to the bread she would not eat an ounce in three days; and the soup she would take none of it for weeks before she was admitted into the infirmary; the gruel was 3-4ths of a pint once a day, the greatest part of this she drank; she had water allowed her.

(signed) *Sarah Martin.*

Sir,

G. P. 26th April 1823.

I AM directed by the Superintending Committee to enclose a copy of the verdict of the jury, and of the evidence taken before the coroner on the death of *Ann Martin*, of which an inaccurate account has appeared in the public papers; and to request, on the part of the Committee, that you will furnish them with such information respecting the removal of the deceased prisoner to and from the infirmary in December and January last, and the treatment there, as you may be able to give on the subject.

I am, Sir, your most obedient servant,

(signed) *Robt Auld, Sec^r.*

A. C. Hutchison, M. D.

Sir,

Spring Gardens, 30th April 1823.

I SHALL answer your last letter when my present indispensable engagements will give me leisure; but I cannot help thinking, that it is with a bad grace such an application is made to me, by those who have refused me an answer to so reasonable a request, as that of knowing the members who were present at my dismissal.

I am, Sir, your very obedient humble servant,

R. Auld, esq.

(signed) *A. Copland Hutchison.*

Gentlemen,

Spring Gardens, May 2d, 1823.

I HAVE to acknowledge the intimation sent to me, through your secretary, of date 19th of April, of my dismissal from the situation of medical superintendent of the National Penitentiary. As I have already told you, that no man of liberal education, or of common spirit, could submit to be treated as I had been, and that I had retained my situation so long, merely from attachment to the institution and from the love of my profession, it was not matter either of surprize or mortification, that you had put your threat, communicated to me a few days before, into execution.

In my last letter, I promised to make some more ample remarks on the whole of the measures which have been of late adopted for the amelioration of the condition of the prisoners; and this I am the better enabled to do, from having since seen the printed report of the physicians, whom you had appointed to supersede me, as it were, in my professional duties.

I propose in this letter, to give an outline of the whole case, though the greater part of it be known to some of you. My intention in being so full, is for the benefit of such of you as, I am well aware, have little knowledge, far less any participation, in the measures adopted; for, besides that the real management has at all times been in the hands of two of your members, no less than seven respectable members have very lately resigned, and as many strangers have been introduced. The statement is also for the information of the public, who have a right to know the whole circumstances and bearings of the case. But the main and beneficial purpose I have

have in view, in this address to you, is, that it may serve as a beacon and guide to warn and direct those who, whether yourselves or others, may in future conduct the administration of an institution which, notwithstanding the present adverse appearances, may still I am well convinced, under proper management, fulfil the benevolent intentions of the Legislature.

I have had frequent occasion to advert to the very singular nature of the prevailing distemper; and that from my situation in the naval service, it became my duty to study the history as well as the treatment of this malady. In the course of my researches I have found, that though it be termed the sea scurvy, there are proofs of its having taken place in common life.

Of these I may quote one, taken from a very eminent crisis in the history of Europe, as related in the Memoirs of the Academy of Sciences, when a famine occurred in France, in the year 1699, in which the scurvy is represented as one of most remarkable calamities in Paris, caused by this deficiency of food.

It is also well authenticated by contemporary physicians, that it was known in London in former ages; and the official reports from the depôts of prisoners of war, contain evidence of its having prevailed at Norman Cross and at Liverpool, among them, about 24 years ago. This was imputed by the medical officers of those establishments, to want of exercise and recreation, as well as a long continued course of scanty food. Some of the best authors on this disease, as it prevails at sea, also attribute it, not to the salt quality of the provisions, but to the deficiency and vitiation of nutritious matter contained in the food.

Deeply impressed with these truths, I officially entered a caution against a very great proposed reduction of the food of the prisoners, in my written communications to the Committee at that time, the 22d of March 1822.

This was paid no regard to, and the diet, as described in the printed report of the physicians already alluded to, was adopted.

The physicians, in their Report to the Committee, and printed by order of the House of Commons, after considering and rejecting all other alleged causes, have distinctly attributed this disease to the reduced diet, which the Committee ordered in opposition to my caution; and while the deplorable effects consequent on this decision of the Committee, are to be lamented by all those who can feel for human nature, even in its lowest degradation, yet to me, professionally, it must be matter of consolation, not to say of triumph, that the evil was foreseen, and would have been averted by the advice which I gave, if that advice had been followed. The only cause they assign, and which they assign with truth, for the exemption of a few of the prisoners, is the better fare they had, as assistants in the kitchen, from the more generous diet they met with in that situation.

Of all this, there needs no other evidence than the correspondence on your own records, and the comparison of the table of diet ordered by you, with that recommended by me, also to be found on your records; nor needs there any comment, but that unequivocal condemnation of your own diet, by your own physicians.

To these records and to that report I refer the Legislature; and in the face of my country and your's, not as your officer, which I no longer am, but as one of that public to whose bar we are all amenable, and as a subject of this most blessed of all governments, which protects the weak against the strong, and justifies the fair animadversions of every member of the community, on the conduct of every public man; I wash my hands of all responsibility for the late and still existing calamity, with which the convicts in the Penitentiary are afflicted, and leave it to an impartial public to pronounce upon whom the responsibility ought to light.

These physicians are highly commendable for the candour, truth and judgment evinced in this part of their report; and I have little to accuse them of, but what is imputable to those who appointed them.

One of these gentlemen has been long and intimately known to me, and highly respected by myself and all who know him, as one possessed of literary and scientific attainments of the highest order, and equally respectable by his moral qualities. But it is well known, as a lamentable truth, that in medicine, above all other professions, the success of practitioners depends on far other qualities than those which ought to recommend them in the eye of reason; and were I not compelled by that attitude of defence into which you have forced me, I should not alledge, as I now do, that this gentleman could have had little or no experience in the treatment of this disease.

With regard to the other gentleman, though I had not the pleasure of a previous acquaintance with him, I have never heard any thing to his disadvantage; on the

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contrary, I believe he stands very fair in character. But as in the former case, I must say, *carus Plato carior veritas*. It is no fault of his that he is a young physician, little known as yet but as the son of a respectable ex-president of the college of physicians; and whatever I have said of the want of practical opportunities regarding the other, applies still more strongly to him.

It would be a ridiculous piece of presumption in me to suppose that any tenderness for my personal feelings ought to weigh a hair in matters of this moment; and if a disregard of the usages and decorums of the profession could be proved in any case to be in any way conducive to the great and paramount ends of benevolence, it would be the highest impertinence in me to raise such objections; and in this view I should think it my duty to repress my feelings.

But suffer me to recall to your recollection how this matter stands:—

On the fourteenth of February last, when the present malady had commenced, Sir James McGrigor was sent for to visit the establishment without my knowledge. I understood him (from the surgeon) to have expressed his satisfaction with the general appearance of the state of health of the prisoners; an opinion which he has since repeated to myself personally. I ask, was Sir James enabled to perform this duty the better, by the insult which you, not he, committed on me, by his not holding any communication with me? and how does his report accord with what is mentioned in the physician's report of the matron having stated, that great symptoms of debility had been observed by her in the course of the two preceding months? a remark that she ought at the time to have communicated to me, if indeed she did observe any such thing. I, myself, was not *forward* in attributing bad effects to your diet, lest I should appear captious; but it is plain, from the tenor of my report in January last, that my opinion regarding the prejudicial effects of the diet established by you, remains unchanged; for after stating that the prisoners had not hitherto experienced any injurious effects from the reduced dietary, I go on to say, that "if I were asked whether I believed that a sufficient period had elapsed, to give the present system a fair trial on the health of the prisoners, my reply would be, that I do not consider a sufficient time to have elapsed to answer the question decidedly; nor do I think a shorter period than two years* *from the commencement of the present system, to be long enough to come to a decision on this important subject, unless, indeed, some very unexpected indisposition were to arise among the prisoners in the meanwhile, of which I should give due notice to the Committee, or the Visitors for the time being.*"

I will freely confess, that in using these last portentous words, I did not apprehend that their fulfilment was so near at hand, and will not assume the credit of prophesying what happened, though in less than a month this *unexpected indisposition* did actually arise. I perceived its approach, and gave official notice of it on the 8th of February, when there were but four or five individuals in whom it had clearly developed itself, having previously prescribed for these individuals, lemons and lemon juice.

With what face of truth then can it be alleged, that I did not early perceive, and announce the existence of this malady? I did not give notice of it at the time I first perceived it; for I had fresh in my memory, a passage in a letter of Mr. Holford's to me (not three weeks before,) in which he highly approves my not immediately making public what I observed, of an illness which occurred immediately before that time, for fear, as he said, "of spreading an alarm which might even add to the number of the sick." This letter, dated 22d of January, now lies before me.

When my great difference of opinion from you, regarding the diet, occurred in March 1822, I expressed a wish for a consultation, and gave the names of five or six of the most eminent and oldest practitioners, all distinguished by their professional and scientific merits, and all considerably older than myself: some of them were personally known to me, some of them not, and some of them had actually practised in this very rare disease. This request was denied me; but it affords a sufficient answer for what has since been alleged against me, that I felt objections to the assistance of others. Had my plan been adopted, either at that time, or on the late occasion, a very few consultations with one or more of eminence (I verily believe without any expense to the public) would have sufficed, instead of

* I have been informed, from the best authority, that it was not till after more than two years confinement that some of the prisoners of war became sensibly affected with this disease.

of a total suspension of my daily duties for a length of time by those you have appointed.

I must here be permitted to say, that having been twenty-four years in the active discharge of medical duties at sea, in hospitals, and private practice, I humbly conceive, that it was not too much to expect some courtesy, both from yourselves and the two physicians of your selection. They were pleased, indeed, to listen to such information as I had to communicate to them at the beginning of their attendance, which I did most freely and anxiously, judging that I was thereby promoting the ends of their mission. But I was soon given to understand, that I must not consider myself as their associate; and after gradually declining to meet me, at last they left me out of their consultations, and they continued to act and make a report without reference to me.

Now, gentlemen, I must be free again to avow my suspicions that the physicians must have acted under your influence; for I aver, from my knowledge of life, that no professional men of liberal sentiments, nor who understood what was due to themselves, and to the sacred and important duties in which they were engaged, would have so conducted themselves, except in virtue of instructions from their employers. And, indeed, on this point I can entertain no doubt, for you refer to them exclusively, in the audiences which you give them; and my prescriptions for the sick, even previously to my letter of the 8th of April, were refused to be complied with by the surgeon, either in the medical or surgical department.

But I am far from having done with the subject. I am going unequivocally to allege, that by this want of free and confidential communication with me, and by my suggestions being disregarded, the sick have substantially suffered.

When these two gentlemen consider dispassionately the cruel situation in which I am placed, they will require little apology for what I am about to state, as compulsory on me in my own defence.

Among the peculiarities of this disease, it is none of the least, that there has been discovered a specific remedy for it, more certain, more efficacious, more expeditious, and more safe, than has ever been discovered for any other known disease.

This was long overlooked; not because there had not been proofs of its virtue for more than two hundred years, but probably because it was not an exquisite product of human art, but a simple production of nature, namely, the juice of lemons or limes, or other forms of the citric acid.

Since this has been understood, and acted upon in a great scale, the sea scurvy has been extirpated from the navy; in so much, that in virtue of this, and some minor means of improving health, two ships of war are admitted, by the best judges of the naval service, to be capable of more efficient service than three in former times, by enabling ships to keep the sea for an indefinite length of time; and more than the same proportion of expense is saved to the country, on account of the savings in the recruiting and hospital establishments, not to mention the diminution of human suffering and mortality.

I understand the objection made to my recommendation of the lemon juice in this emergency, has been the bowel complaints, which have been on this, as on other occasions, so prevalent a symptom of this malady. I affirm, on my own experience; I appeal to the experience of all those who have actually seen and practised in this disease, whether this symptom has been found any obstacle to the free use of lemon juice, qualified by such correctives as are well known to experienced practitioners. The *ripe* oranges prescribed in lieu of this, possess none of the specific virtues of the citric acid, but only those of other fresh vegetable matter.

Now, I have not only verbally, when I did confer with the two physicians, but also by letter of date 12th of March, urged without effect the employment of this remedy to its fullest extent.

It is no fault of these gentlemen that they are younger and less experienced than I am; it is no fault of theirs, that they were not obliged, by their public duties, to study and treat this disease, as I have been; and in order to justify the animadversions made above, which at first sight may appear too severe, I am here again called upon for explanation and apology; for it is so invidious, and so unusual in regular practice, for a professional man to object thus freely to the practice of others, that it can be justified by nothing short of the most extreme necessity;—to this cruel necessity have I been driven by you.

I have at this moment my *all*, that is, my character, more dear than life to every gentleman,

APPENDIX
(A.)

gentleman, put in jeopardy by your public insults, and have *no other* means of defence, but those I have been compelled to resort to. If in points which touch the most sensitive springs of nature, I may by any excess of feeling have been betrayed into any unbecoming expression, I crave the considerate indulgence usually allowed to those who are smarting under oppression, and the still more intolerable and irritating pangs of contumelious and contemptuous treatment, which have unhinged stronger minds than mine. It is one of the infirmities incident to our nature, and from which I confess myself not exempt, that even the consciousness of innocence cannot prevent the mind from sinking under the weight of unrefuted calumny, and the privation of that respect of our fellow-men, without which life itself becomes an insupportable burden. I put it to yourselves, or to whomsoever else may do me the honour of perusing this letter, whether, if any one possessing the principles and feelings of a gentleman, will place himself in the situation in which I have been for the last twelve months, exposed not only to the slights, the detractions, the fabricated imputations on my character, but the numberless and nameless thwartings, misconstructions, and secret intrigues with which I have been harassed and insulted (and which are well known to you, gentlemen, but which this is not the place to detail), whether, I say, your feelings would be less acute than those I have just described?

I shall conclude what I have to say on this subject, by answering your allegations with regard to my temper, challenging you to the proof.

If you can find any human creature, out of the walls of the Penitentiary (where I was goaded beyond human endurance,) of the great number with whom I have been connected, either in business or social intercourse, who will bear evidence to the prejudice of my temper, I will not persist in contradicting you on this point of fact. There is a saying, that a worm will turn on the foot that treads upon it. Could these gentlemen, were they not acting under influence, lay their hands on their hearts, and say, that they have on this occasion *done as they would be done by*?

But as a matter of substantial religion and morality, I appeal to all the good and the wise;—to the calm reconsideration of the reverend members of the Committee;—to that of your member, also a member of a court of *equity*, who takes a lead among you;—to all those, in fine, to whom the merits of my case are known, whether I could have said or done less, as a matter indispensably enjoined by the overpowering dictates of duty and conscience towards the public, leaving out of the question my own wrongs, which I am ready to forgive?

After all, I do not accuse you of criminal intention; I believe it was far from your intention to commit acts detrimental to the public service. On the contrary, you have consumed much time and labour in gratuitously doing your best.

What I distinctly charge upon you, the Managing Committee of the Penitentiary at Milbank (or rather your two leading members) is, that in the exercise of a wrong judgment, you have, from hasty inadvertency, taken upon you, to the detriment of the public service, to decide upon matters not within your competency; to tolerate a system of *espionage*; and that you have been guilty of unmerited and unfeeling insult and injury towards myself personally, without this being in any way conducive to the public benefit.

The public will naturally inquire, and expect to be informed, from what motive or provocation this conduct of your's could proceed; and will be disposed, *prima facie*, to impute it to some error in my conduct. I am conscious of none, unless indeed it was an error to have differed in opinion from you regarding the diet, or to have preferred being the victim, rather than the associate, of those who were engaged in that system of secret intrigue and cabal among the officers, which in my heart I abhorred, as subversive of all liberal intercourse and every useful result, in the conduct of this or any other human affair, particularly when men of education or established character are the objects of it. And, with regard to the ill-will of the other officers, I can no otherwise account for it, but by supposing that some rebukes, indispensable in the exercise of my duty, which it was always my study to express with as little offence as possible, might, nevertheless, not have been in every instance palatable. For at a particular period last year, there was an organized plot to take away my character by an imputation of ebriety, proved to be unfounded, to the satisfaction of the Committee.

It has been reported, that one of your members vehemently accused me of having made an ungrateful return to the polite treatment I had met with. This no doubt alludes to certain letters and notes addressed to me, in June last, and on occasion of the appointment of the new physicians. That these letters and notes were couched in

in the most civil and friendly terms, I am ready to admit. But what am I to think of them, when I reflect, that they were in their tendency utterly at variance with the *bland* words in which they were expressed; for had I been decoyed into an assent to the proposal made to me in June, regarding the plot against my character, I should for ever have been degraded and ruined.

And in the latter instance, the empty words of politeness were in direct opposition to the contumelious treatment which followed. And how can I consider either of them, but as examples of that affected candour and kindness, that *atræ loliginis succus* of the poet, which in all ages has been used as the specious mask of lurking enmity.

Before concluding, I must make a short digression upon another point. Some of my friends have expressed their surprize, that under such ill-treatment, I should not have long ago resigned my situation; for that this left room to suspect, that for sordid ends I was compromising both my honour and my peace.

Why, they might say to me, should you frequent a place, where you were continually treading on *covert and insidious embers*, where you were surrounded on all sides with traps and pitfalls?

In answer to this, I have to say, that the first half of my attendance, that is, three years and a half, was gratuitous. Like many other attendants at public institutions, I valued most the experience to be acquired there; and I have been amply repaid, by the addition I have made to my medical and chirurgical knowledge.

I may also remark, in passing, that when the option was given me, whether I would accept of two or three hundred pounds per annum, merely as a compensation for my loss of time from my growing private practice, I named the smaller sum.

I felt also an interest, which grew into attachment, to this infant establishment; and it is well known to all my friends, that I have ever enthusiastically followed my profession as a favourite pursuit, independent of its emolument. But I had further reasons for not taking this step. Had I done so, soon after my persecutions began, and before I had discomfited the plot laid against my character, it would have been imputed to guilt; and had I done so on a late occasion, when you put it in my power, in order to avoid the disgrace, as you thought, of dismissal, my conduct would have been subject to the like construction; I therefore begged you to do it on your own responsibility.

A friend also lately remarked to me, that on that diet being adopted, to which I had objected, this ought to have produced my resignation. The obvious answer to this is, that this diet was that of the prisoners in health, with whom I had no professional relations, except the monthly inspection. Had I been controlled or dictated to, with regard to the sick prisoners, I should assuredly have resigned.

It would savour of presumption, were I to pretend to measure myself with either of you, by a comparison of what we have respectively done for the benefit of our fellow-creatures; but it is an ordeal from which I should not shrink.

I am willing to admit the superiority which some of you possess over me by your rank in life; but there is one sort of superiority which my own feelings, and I hope the sympathies of mankind, will not allow me to forego, nor concede to any of you;—I mean that proud superiority which those who endure wrong possess over those who commit it.

Gentlemen, I now bid you a final farewell, sincerely hoping, trusting and believing, that the business you have undertaken will, from past experience, prove more successful in future, whether in your own or other hands; and that here, as in all other human affairs, under the superintendence of a wise and good Providence, we shall all have the satisfaction and consolation of reflecting, that good may have arisen out of evil. And I pray God, that this exposure may be productive of all the salutary effects which I sanguinely anticipate.

I have the honour to be, Gentlemen,

Your very obedient and very humble servant,

The Honourable (signed) *A. Copland Hutchison.*
The Commissioners of the General Penitentiary,
Milbank.

P.S.—When I was concluding this letter, my attention was drawn to an imputation, said in the public papers to have been made by one of you, in strong terms, charging me with want of attention in the performance of my duty. If by this

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(A.)

charge it be meant, that my professional visits to the sick in the infirmaries were less frequent than circumstances required, I boldly deny the fact; and you, gentlemen, know, that although my instructions directed me, under ordinary circumstances, to visit the sick but twice in the week, my general practice was to visit them three and four times within the same period; and, in cases of danger or difficulty, my visits have been daily, frequently twice in the day, nay, I have even visited a convict *three* times on the same day.

If the accusation be meant to apply to my not having earlier sounded the alarm, as to the appearance of scurvy among the prisoners in the infirmaries, and to my not going immediately into the prison and examining the whole of the convicts, to ascertain the extent to which the disease had attained then; my obvious answer to this is, that there were but four or five slight cases in all on the 8th of February, the day on which I gave the Committee the first notice of the appearance of scurvy, and this was only a week after I had inspected the whole of the convicts in the prison, when I found them, to appearance, in their usual health, with the exception of a few who continued to complain of slight colds and coughs, the remains of the indisposition which had prevailed early, and during the preceding month of January. The numbers were, at this time also, lessening in the infirmaries, and therefore, there was every appearance of a return to the usual state of health. The few cases of scurvy in the infirmaries were rapidly improving under the treatment I had adopted, and matters were in this state in the middle of February, when Sir James McGrigor visited the institution, as before noticed.

A bowel affection now began to show itself, and prevail among a few individuals, having in one or two instances the character of dysentery, and which, from the 14th, began to be a little alarming; but in these few cases there were no appearances of scurvy, and therefore no connection was supposed to exist at this time between the two diseases; and it is somewhat singular, that all the first cases of scurvy reported by me recovered, excepting one young woman, who was seized with the *ecchymosed* blotches while labouring under the last stage of consumption, of which latter disease she died on the 21st of February. On the 24th I hazarded an opinion to the Committee, that there might be a connection between the bowel affection and the scurvy of the legs, which my familiarity with the disease in former years at sea, enabled me to detect much sooner, probably, than would have been the case with medical men who had not had the like experience, and I accordingly acted upon it, and the *post mortem* examinations, which were permitted after the two physicians were called in, completely verified my suspicions.

Five days after the last-mentioned date, my monthly inspection was again to have been made, when, most assuredly, I should have examined the legs, &c. of every convict in the prison, with a view of ascertaining, to my own satisfaction, if the disease had spread; no symptoms of such a thing, however, had ever been *reported* to me by either the *matron* or *surgeon*, nor had I any reason to suspect it, from the appearance of the prisoners at my last inspection; besides, I appeal to the printed instructions to the officers, whether, between my monthly inspections, it was not the resident surgeon of the institution who had charge of the state of the health of the prison, unless indeed my attention was called or directed by him or any other officer, or by the Visitor, to that particular duty (which I deny to have been the case,) my more immediate duties during those intervals being, as I conceived, chiefly confined to the infirmaries. Did these officers, or any of the Committee, who were officially apprized by me of the real nature of the disease, and repeatedly addressed on the subject up to the very day on which the two physicians were called in, ever communicate with me on the propriety of such a measure? If they, or any of them, will assert this, then I will admit that I have been guilty of a dereliction of duty. But this cannot be asserted with truth; it is therefore expected, that such an unfounded imputation against my character will be withdrawn. I may just add, that the greater number of my evening visits were entirely supererogatory.

(signed) A. C. H.

(B.)

II. Further Papers delivered in to the Committee,

VIZ.

WEEKLY RETURNS to the Committee at the Penitentiary, from the Governor, Matron, Deputy Matron, and Master Manufacturer, for the week ending on the 4th January 1823; showing, The number of Prisoners on that day, and the Work done during the preceding week:—N^o 1. 2. 3. & 4.

RETURNS from—the Cold Bath Fields Prison;—Saint Anne's Soho;—St. George Hanover-square;—St. Mary-le-bone; and St. Pancras Work-houses:—N^o 5. 6. 7. 8. 9. 10.

N^o 1.

GENERAL PENITENTIARY - - - MALE PENTAGON.

PENT.	WARD.	PRISONERS in the Ward.		PRISONERS belonging to the Ward, but in the Infirmary.		TOTAL PRISONERS.	CELLS VACANT.		TOTAL CELLS.	REMARKS.
		Class I.	Class II.	Class I.	Class II.		Class I.	Class II.		
I.	B.	14	2	—	—	16	—	—	16	{ * Including 6 cooks, and 2 inf ^r wardsmen.
	D.	31	2	—	—	33	—	—	33	
	E.	30	2	—	—	32	1	—	33	
	F.	—	17	—	5*	22	—	9	31	
	G.	—	27	—	1	28	—	3	31	
Total - -		75	50	—	6	131	1	12	144	
II.	B.	11	3	1	—	15	1	—	16	
	D.	27	4	1	1	33	—	—	33	
	E.	—	1	—	—	1	32	—	33	
	F.	—	—	—	—	—	—	31	31	
	G.	—	—	—	—	—	—	31	31	
Total - -		38	8	2	1	49	33	62	144	
V.	B.	13	2	1	—	16	—	—	16	{ * Including 2 infir- mary wardsmen.
	D.	30	2	1	—	33	—	—	33	
	E.	31	2	—	—	33	—	—	33	
	F.	—	17	—	2*	19	—	21	40	
	G.	—	28	—	1	29	—	11	40	
Total - -		74	51	2	3	130	—	32	162	
VI.	B.	15	1	—	—	16	—	—	16	† Including 6 cooks.
	D.	29	2	—	—	31	2	—	33	
	E.	27	2	1	—	30	3	—	33	
	F.	—	30	—	3	33	—	7	40	
	G.	—	29	—	3	32	—	8	40	
Total - -		71	64	1	6	142	5	15	162	
Total in Pent.										
I. - -		75	50	—	6	131	1	12	144	
II. - -		38	8	2	1	49	33	62	144	
V. - -		74	51	2	3	130	—	32	162	
VI. - -		71	64	1	6	142	5	15	162	
Grand TOTAL		258	173	5	16	452	39	121	612	

4th January 1823.

J. Couch, Governor.

APPENDIX
(B.)

N° 2.

GENERAL PENITENTIARY - - - FEMALE PENTAGON.

PENT.	WARD.	PRISONERS in the Ward.		PRISONERS belonging to the Ward, but in the Infirmary.		TOTAL PRISONERS	CELLS VACANT.		TOTAL CELLS.
		Class I.	Class II.	Class I.	Class II.		Class I.	Class II.	
III.	B.	15	1	2	-	18	13	-	31
	D.	19	1	3	-	23	10	-	33
	E.	25	1	2	-	28	5	-	33
	F.	-	24	-	5	29	-	5	43
	G.	-	32	-	6	38	-	8	42
	H.	-	22	-	9	31	-	-	31
Total - -		59	81	7	20	167	28	13	213
IV.	B.	18	1	6	-	25	6	-	31
	D.	9	1	7	-	17	16	-	33
	E.	13	1	-	-	14	19	-	33
	F.	-	21	-	8	29	-	2	31
	G.	-	28	-	9	37	-	4	41
	H.	-	31	-	6	37	-	13	44
Total - -		40	83	13	23	159	41	19	213
Total in Pent.									
III. - -		59	81	7	20	167	28	13	213
IV. - -		40	83	13	23	159	41	19	213
Grand TOTAL		99	164	20	43	326	69	32	426

4th January 1823.

E. Wilkinson, Matron.

N° 3.

GENERAL PENITENTIARY.

Deputy Matron's Report for the Week ending 4th January 1823.

Number of PRISONERS employed.	Description of WORK done, during the week.	Quantity of WORK done, during the week.	Quantity of WORK on hand.	Description of WORK Expected.	General Disposition of PRISONERS, Industrious or otherwise.
Pent. III. A. 25 B. 16 C. 28 D. 20 E. 24 ----- 113	For the Military Depot; For the establishment of the Penitentiary;	Sheets, 270; Stockings knit, 12 pairs; Tow spun, 9½ lbs. 83 shirts;	a sufficient supply for some time.	From the Military Depot; From the establishment; and from private individuals.	The earnings have been small, owing to many of the pri- soners being in the Infirmary.
IV. A. 26 B. 21 C. 28 D. 10 E. 13 ----- 98	and for private individuals.	18 shifts; 68 night- gowns; 25 caps; 4 petticoats.			
TOTAL - - 211					

Average wages of each Prisoner per the week { Pentagon III. - - - 1s. 5d.
 „ IV. - - - 1s. 3½d.

Female Department,
7th January 1823. }

C. Bryant, Deputy Matron.

N° 4.—GENERAL PENITENTIARY :—Return of Male Prisoners employed from 30th December to 4th January 1823.

No of the Pentagons.	EMPLOYED IN MANUFACTURE.												TOTAL.	EARNED. £. s. d.	EMPLOYED, Not in Manufacture.					UNEMPLOYED.	TOTAL.	GRAND TOTAL.	REMARKS.	AVERAGE to each Prisoner.
	Tailors.	Cutters.	Inspectors.	Instructors.	Weavers.	Winders.	Learning to wind.	Sizers.	Patchwork.	Carpenters.	Turners.	Hammock makers.			Shoemakers.	Wardens.	In the Kitchen.	Sick in Infirmary.	Confined.					
I. - -	98	2	1	4	9	1	-	-	-	-	-	-	-	7	5	4	-	-	-	16	131	The Average applies to those employed in Manufacture only.	£. s. d. - 1 3½	
II. - -	-	-	-	1	29	11	-	3	-	-	-	-	-	2	-	3	-	-	-	5	49		£. s. d. - 1 3½	
V. - -	87	4	-	1	16	6	-	-	-	-	-	-	-	7	-	-	-	5	-	16	130		£. s. d. - 1 7½	
VI. - -	70	3	-	-	-	-	-	-	8	3	2	-	37	6	6	7	-	-	-	19	142		£. s. d. - 2 3½	
TOTAL -	255	9	1	6	54	18	-	3	8	3	2	-	37	396	33 13 10½	22	11	18	-	5	56	452		

Work on hand for three weeks.—Materials for Army Clothing expected from the depôt.

J. White, Master Manufacturer.

N^o 6.

SAINT ANNE, WESTMINSTER.

(1.)—DIET TABLE.

SUNDAY	- - - -	7 oz. of boiled beef or mutton with vegetables, 1 pint of broth, 13 oz. of bread, and 2 pints of beer.
MONDAY	- - - -	1 pint of milk pottage, 3 oz. of butter, 3 oz. cheese, 13 oz. of bread and 2 pints of beer.
TUESDAY	- - - -	7 oz. boiled beef or mutton with vegetables, 1 pint of broth, 13 oz. of bread, and 2 pints of beer.
WEDNESDAY	- - - -	1 pint of pease soup, 13 oz. of bread, and two pints of beer.
THURSDAY	- - - -	7 oz. of boiled beef or mutton with vegetables, 1 pint of broth, 13 oz. of bread, and two pints of beer,
FRIDAY	- - - -	3 oz. of butter, 3 oz. of cheese, 1 pint of rice milk, 13 oz. of bread, and 2 pints of beer.
SATURDAY	- - - -	1 pint milk pottage, 12 oz. suet pudding, 13 oz. of bread, and 2 pints of beer.

The nurses are allowed 1 oz. of tea, 4 oz. of sugar each, per week; 1 oz. of tea, 4 oz. of sugar for each sick person per week, with the sick diet by order of the doctor.

N. B. The broth is made from the liquor in which the meat (upwards of 100 lbs.) is boiled, by adding oatmeal, herbs, seasoning, &c.

The pease soup is made with two shins of beef, weighing 20 lbs. and 1½ peck of pease and a proper quantity of seasoning to 5 gallons of water.

At Whitsun-day, Christmas-day, and Easter-day, the dinners are roast beef and plum pudding; and the paupers are allowed one dinner of mackarel, pork, beans and peas when in season.

N. B. The house is only calculated to hold about 210 persons,

(2.)—DEATHS IN THE WORKHOUSE.

1821:

January	-	-	-	-	-	-	-	-	4
February	-	-	-	-	-	-	-	-	3
March	-	-	-	-	-	-	-	-	4
April	-	-	-	-	-	-	-	-	3
May	-	-	-	-	-	-	-	-	1
June	-	-	-	-	-	-	-	-	1
July	-	-	-	-	-	-	-	-	1
August	-	-	-	-	-	-	-	-	2
September	-	-	-	-	-	-	-	-	5
October	-	-	-	-	-	-	-	-	7
November	-	-	-	-	-	-	-	-	4
December	-	-	-	-	-	-	-	-	8

Total - - 43

1822:

January	-	-	-	-	-	-	-	-	4
February	-	-	-	-	-	-	-	-	4
March	-	-	-	-	-	-	-	-	2
April	-	-	-	-	-	-	-	-	4
May	-	-	-	-	-	-	-	-	1
June	-	-	-	-	-	-	-	-	1
July	-	-	-	-	-	-	-	-	2
August	-	-	-	-	-	-	-	-	3
September	-	-	-	-	-	-	-	-	2
November	-	-	-	-	-	-	-	-	4
December	-	-	-	-	-	-	-	-	8

Total - - 35

1823:

January	-	-	-	-	-	-	-	-	3
February	-	-	-	-	-	-	-	-	7
March	-	-	-	-	-	-	-	-	7
April	-	-	-	-	-	-	-	-	2
May	-	-	-	-	-	-	-	-	5

Total - - 24

APPENDIX
(B.)N^o 7.

SAINT JAMES, WESTMINSTER.

(1.)

Parish Saint James, Westminster, }
March 26th, 1807.

At a Vestry - - Present,—

Rev. Gerrard Andrews, Rector.
Robert Johnson, Esq.
John Mayhew, Esq.
Christopher Spencer, Esq.
Edward Jenden, Esq.
Mr. George Lamb, Churchwarden.

RESOLVED, The following Table to be put in force directly :

	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - -	13 oz. bread. $\frac{1}{2}$ oz. butter.	6 oz. meat. 10 oz. vegetables. 1 pint small beer.	1 pint broth.
MONDAY - - -	13 oz. bread. 1 pint water gruel.	8 oz. rice pudding. 1 pint beer.	1 oz. cheese.
TUESDAY - - -	13 oz. bread. 1 pint water gruel.	6 oz. meat. 10 oz. vegetables. 1 pint beer.	1 pint broth.
WEDNESDAY - -	13 oz. bread. $\frac{1}{2}$ oz. butter.	8 oz. suet pudding. 1 pint beer.	1 oz. cheese.
THURSDAY - - -	13 oz. bread. 1 pint water gruel.	6 oz. meat. 10 oz. vegetables. 1 pint beer.	1 pint broth.
FRIDAY - - -	13 oz. bread. $\frac{1}{2}$ oz. butter.	1 pint pease soup. 1 pint beer.	1 oz. cheese.
SATURDAY - - -	13 oz. bread. 1 pint water-gruel.	6 oz. meat. 10 oz. vegetables. 1 pint beer.	1 pint broth.

The Sick Poor are provided with one pint of mutton on the respective four days per week, the residue of which is put in for the well patients supper, with Scotch barley or rice, vegetables, and pieces or crumbs produced from cutting the bread.

The pease soup is made from legs and shins of beef, three, four or five sets, not weighing less than 56 lbs. with two bushels of split pease, celery, &c. The number of legs and shins entirely depend on the persons to provide for.

(2).—The Number of DEATHS in the Workhouse.

	Men.	Women.	Children.	Boys.	Girls.	Infants.
From the 1st January to } 30th December } - - 1820 - - -	68	63	39	- -	- -	—
January - - - - - 1820 - - -	9	6	- -	- -	- -	5
February - - - - - 1820 - - -	11	3	- -	1	1	—
From the 2d January to } 31st December } - - 1821 - - -	49	70	- -	1	3	29
January - - - - - 1821 - - -	5	8	- -	- -	- -	1
February - - - - - 1821 - - -	9	8	- -	- -	1	3
From the 1st January to } 31st December } - - 1822 - - -	46	61	- -	3	2	19
January - - - - - 1822 - - -	2	7	- -	1	- -	1
February - - - - - 1822 - - -	4	3	- -	- -	- -	1
January - - - - - 1823 - - -	10	9	- -	- -	- -	4
February - - - - - 1823 - - -	6	10	- -	- -	- -	5
Total Deaths in 1820 - - - 170.	Total Deaths in January and February 1820 - - - 36					
1821 - - - 152	1821 - - - 35					
1822 - - - 131	1822 - - - 18					
	1823 - - - 44					

N^o 8.

SAINT GEORGE, HANOVER SQUARE.

(1.)—A Statement of the DIETARY in use in the Parish of St. George, Hanover Square.

28 lbs. of oatmeal used every morning for the gruel.	BREAKFAST.		DINNER.						SUPPER.			
	Bread, Seconds.	Gruel.	Bread, Seconds.	Beef or Mutton.	Vegetables according to the Season.	Small Beer.	Pease Soup.	Suet Dumplings.	Bread, Seconds.	Cheese.	Small Beer.	Broth.
	oz.	pints.	oz.	oz.		pints.	pints.	oz.	oz.	oz.	pints.	pints.
SUNDAY - - -	4	1 ½	4	5	some	1	—	—	4	—	—	1 ½
MONDAY - - -	4	1 ½	4	—	—	1	1 ½	—	4	2	1	—
TUESDAY - - -	4	1 ½	4	5	some	1	—	—	4	—	1	1 ½
WEDNESDAY - -	4	1 ½	4	—	—	1	1 ½	—	4	2	1	—
THURSDAY - -	4	1 ½	4	5	some	1	—	—	4	—	—	1 ½
FRIDAY - - -	4	1 ½	—	—	—	1	—	14	4	2	1	—
SATURDAY - - -	4	1 ½	4	—	—	1	1 ½	—	4	2	1	—

Children, 3 oz. of meat on meat-days, and milk porridge for breakfast; lying-in women, mutton and broth every day, 1 lb. of white bread, and a pint of porter daily, for three weeks.
The sick dieted by the medical gentlemen.
The broth made from the liquor the beef and mutton is boiled in, with the addition of herbs only.
Taking the average of three days meat is about 232 lbs. boiled each day, which makes broth for 442 persons, being 663 pints.
The pease soup is made from legs and shins of beef, of 50 lbs. per set by contract; and 210 lbs. is allowed to make soup for 442 persons, being 663 pints; three pecks and a half of pease are added.
N.B. Though there may chance to be 10 or 20 more persons, no greater quantity of meat or pease is used on that occasion.

(2.)—A RETURN of the highest and lowest Number of Persons residing in the Workhouse, Mount-street, in the Parish of St. George, Hanover Square, for each three Months, from the 1st of January 1820, to the 1st of April 1823. Also the total Number of Deaths each Year during the same Period, up to the 4th of June 1823; and the Number of Deaths, in the Months of Jannary and February only, for those Years.

1820:	Highest.	Lowest.	Deaths.	1820:	Deaths.	Total.
From 1st Jan. to 1st April	622	569	158	January - - - - -	20	38
From 1st April to 1st July	557	423		February - - - - -	18	
From 1st July to 1st Oct. -	456	426				
From 1st Oct. to 1st Jan. -	563	462				
1821:				1821:		
From 1st Jan. to 1st April	586	547	131	January - - - - -	25	31
From 1st April to 1st July	549	433		February - - - - -	6	
From 1st July to 1st Oct. -	446	413				
From 1st Oct. to 1st Jan. -	494	428				
1822:				1822:		
From 1st Jan. to 1st April -	527	485	147	January - - - - -	14	19
From 1st April to 1st July	483	402		February - - - - -	5	
From 1st July to 1st Oct. -	407	374				
From 1st Oct. to 1st Jan. -	462	392				
1823:				1823:		
From 1st Jan. to 1st April -	496	456	96	January - - - - -	34	47
From the 1st Jan. to 4th June	- - -	- - -		February - - - - -	13	

APPENDIX
(B.)N° 9.
SAINT MARY-LE-BONE.

(1.)—DIET TABLE.

FIRST CLASS - - - - - Aged and Infirm.			
DAYS.	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - - -	Rice Milk.	3 oz. bread. 6 oz. beef and vegetables. Pint of beer.	3 oz. bread. Broth.
MONDAY - - - -	d°.	3 oz. bread. Pease soup.	3 oz. bread. 2 oz. cheese, or 1 oz. butter. Pint of beer.
TUESDAY - - - -	d°.	3 oz. bread. 6 oz. beef and vegetables. Pint of beer.	3 oz. bread. Broth.
WEDNESDAY - - - -	d°.	3 oz. bread. Pease soup.	3 oz. bread. 2 oz. cheese, or 1 oz. butter. Pint of beer.
THURSDAY - - - -	d°.	3 oz. bread. 6 oz. beef and vegetables. Pint of beer.	3 oz. bread. Broth.
FRIDAY - - - - -	d°.	3 oz. bread. Pease soup.	3 oz. bread. 2 oz. cheese, or 1 oz. butter.
SATURDAY - - - -	d°.	3 oz. bread. 2 oz. cheese. Pint of beer	D°.
SECOND CLASS - - - - - Persons able to work.			
DAYS.	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - - - -	Rice Milk.	4 oz. bread. 6 oz. beef and vegetables.	4 oz. bread. Broth,
MONDAY - - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
TUESDAY - - - - -	d°.	4 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
WEDNESDAY - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
THURSDAY - - - - -	d°.	4 oz. bread. 6 oz. beef and vegetables.	4 oz. bread. Broth.
FRIDAY - - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
SATURDAY - - - - -	d°.	4 oz. bread. 2 oz. cheese.	4 oz. bread. 2 oz. cheese,
THIRD CLASS - - - - - Persons able to work but disobedient.			
DAYS.	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - - - -	Rice Milk.	4 oz. bread. 6 oz. beef and vegetables.	4 oz. bread. Broth.
MONDAY - - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
TUESDAY - - - - -	d°.	6 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
WEDNESDAY - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
THURSDAY - - - - -	d°.	6 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
FRIDAY - - - - -	d°.	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
SATURDAY - - - - -	d°.	4 oz. bread. 2 oz. cheese.	D°.

ST. MARY-LE-BONE DIET TABLE.— *continued.*APPENDIX
(B.)

FOURTH CLASS

Persons able to work, but vicious and bad.

DAYS.	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - - -	Rice Milk	6 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
MONDAY - - - -	d°	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
TUESDAY - - - -	d°	6 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
WEDNESDAY - - -	d°	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
THURSDAY - - -	d°	6 oz. bread. 2 oz. cheese.	4 oz. bread. Broth.
FRIDAY - - - -	d°	4 oz. bread. Pease soup.	4 oz. bread. 2 oz. cheese.
SATURDAY - - -	d°	4 oz. bread. 2 oz. cheese.	D°.

PEASE SOUP.

On an average:

3½ pecks peas.

Leeks or onions in proportion.

75lbs. legs and shins of beef.

From 90 to 100 gallons of water in proportion to number of persons.

BROTH.

On an average:

52 stone beef } from meat dressed

14 stone mutton } on meat days.

From 90 to 100 gallons of water in proportion to number of persons.

(2.)—ST. MARY-LE-BONE. - - - DEATHS, &c.

YEARS.	MONTH.	Greatest Number in the House.	Number of Deaths.	
- - - 1820. - - -	January - - -	1,076	37	Total 65
	February - -	1,037	28	
- - - 1821. - - -	January - - -	1,063	34	Total 50
	February - -	1,074	16	
- - - 1822. - - -	January - - -	899	33	Total 52
	February - -	870	19	
- - - 1823. - - -	January - - -	1,005	51	Total 95
	February - -	971	44	

APPENDIX
(B.)

N° 10.
ST. PANCRAS WORKHOUSE.
TABLE OF DIET.

DAYS.	BREAKFAST.	DINNER.	SUPPER.
SUNDAY - - - -	5 oz. of bread 1 ½ pint of milk porridge	8 oz. boiled mutton, one Sunday, 8 oz. buttock beef next, 8 oz. vegetables, 4 oz. bread, 1 pint beer, men, ½ d° - women.	5 oz. bread, 2 oz. cheese, 1 pint beer, men, ½ pint, women, & 4 oz. each of butter & sugar per week, in lieu of cheese.
MONDAY - - - -	Same.	1 ½ pint barley broth, Bread and beer, same as Sunday.	Same.
TUESDAY - - - -	Same.	8 oz. boiled beef, 8 oz. vegetables, Bread and beer same.	Same.
WEDNESDAY - - -	Same.	Same as Monday.	Same.
THURSDAY - - - -	Same.	Same as Tuesday.	Same.
FRIDAY - - - - -	Same.	Same as Wednesday.	Same.
SATURDAY - - - -	Same.	Pint & half pease soup, Bread and beer, Same as other days.	Same.

Children above two years, have 12 oz. of bread per day, and 4 oz. of meat, on meat days;
½ pint of beer per day; and 1 oz. of cheese for supper.

The broth is made with the liquor the meat is boiled in the preceding day, allowing 1 lb.
of Scotch barley to two gallons, with a good portion of onions or leeks, pepper and salt.

The pease soup is made of ox heads, allowing 35 lbs. weight and 5 quarts of pease to ten
gallons, with onions or leeks, celery, &c.

Bread the best wheaten, contracted for at a discount from the general top price.

AVERAGE NUMBER IN THE HOUSE.

1820	-	-	was	-	-	726
1821	-	-	"	-	-	676
1822	-	-	"	-	-	665

				DEATHS IN			
				1820:	1821:	1822:	1823:
January	-	-	-	15	14	10	17
February	-	-	-	10	15	17	8
March	-	-	-	15	14	20	17
April	-	-	-	14	15	6	18
May	-	-	-	17	6	7	11
June	-	-	-	15	5	7	—
				86	69	67	71
July	-	-	-	5	4	9	
August	-	-	-	7	5	8	
September	-	-	-	8	5	8	
October	-	-	-	15	5	12	
November	-	-	-	8	3	11	
December	-	-	-	18	11	11	
				61	33	59	
				86	69	67	
				147	102	126	

Average number of Scrophulous Cases in the Workhouse - - - - 10

(C.)

FURTHER PAPERS relating to the Penitentiary; as Ordered, by The House of Commons, to be printed, 2 May 1823. (N° 309.)

APPENDIX
(C.)

VIZ.

Copies of LETTERS from Dr. HUTCHISON to the Committee of the General Penitentiary, dated 22d March and 4th October 1822; 10th January, 14th February, 8th, 14th, and 19th April 1823;—of LETTERS, from the same, to the Visitor of that Establishment, dated 24th and 28th February 1823;—of REPORT on *Mary Brenton's* death in January 1823;—and, of Communications made to Dr. HUTCHISON, on the part of the said Committee, of dates 28th February, and 12th and 19th of April 1823.

N° 1.

Sir,

Leicester-square, 22d March 1822.

THE Committee having done me the honour, by your letter of the 18th instant, to request my opinion “upon the present Prison Dietary, and the reduction it is “capable of, with a due regard to the health of the prisoners,”—I beg leave to submit the following Observations, and Scale of Dietary, for their consideration:

From the high degree of health the prisoners have hitherto enjoyed, and the absolute state of plethora, which a great majority of them have shown, after a certain residence within the walls of the Penitentiary, as well as the frequent recurrence of disease arising from that cause; I have no hesitation in stating the quantum of food consumed by them to be greater than sufficient to maintain them in robust health—with all due consideration to the labour they may, by any possibility, be subjected to.

The inquiry, as to what reduction their present dietary will admit of, involves some serious considerations, and can perhaps, only be finally determined by the result of experience.

First,—It must not be so much reduced as to impair the health of the prisoner, or render him unfit on emancipation, to work for his own or his family's subsistence: this would be adding to the burden of the parish to which the unfortunate individual may belong, and inconsistent with that humanity, which tempers the justice of our laws.

Secondly,—In considering this question, we cannot altogether take example from other prisons or houses of correction, as, in the Penitentiary, the convict is condemned to a much longer period of imprisonment; of which being aware, his mind will have a much greater tendency to depression; and, such exhaustion of animal spirits will be likely to terminate in disease. Besides, it is obvious that a man may be very well able to subsist for a few months, a year, or very possibly two years, upon a scanty allowance of food, without any *apparent* diminution of health or strength; but beyond this period, the powers of his constitution may not be able to sustain the trial.

Thirdly,—The majority of prisoners sent to this institution, will, I believe, be found to belong to the metropolis; to have been earlier initiated into crime, and to have been more successful in their nefarious pursuits than those sent from the various county jails throughout the empire; and have, in consequence, lived higher, as to eating and drinking, than the other class; and therefore, will be more subject to disease by any sudden transition from intemperate living, to a very small regulated diet. Again, to prove that a *certain portion* of animal food is necessary for man, we have only to examine the natural conformation of his teeth and stomach.

Considering then all these circumstances, without adverting to others that might be urged, I am disposed to give it as my opinion, that the Dietary for the Penitentiary should stand thus:—

The daily allowance of bread to be precisely what it now is.

Gruel the same, night and morning warm.

One quart of broth to the males as now made (or with ox cheeks;) the same quantity to the females employed in the wash-house and laundry; the other females one pint and a half, during six days in the week.

APPENDIX
(C.)

Eight ounces of meat the same as heretofore, *on Sundays*, with one pound of boiled potatoes, omitting broth on this day altogether, for every description of prisoner.

As I understand that reasonable objections have arisen to the use of four formidable weapons in each kitchen, namely; the carving knives for the division of the meat, and which have hitherto been in the hands of convicts, the above plan will obviate that danger, at least six days in the week; and on the meat day, surely two turnkeys or a like number of the patrol-men (in addition to the turnkey in each kitchen) may be directed to assist in cutting up the meat, so that the knives shall not be intrusted to any but these officers, and directed to be afterwards locked up, or otherwise removed to a place of safety.

Although this be my opinion, after much reflection and some knowledge of the constitutions of convicts during a period of nearly six years, that I have been the principal medical officer of the Penitentiary, yet, I consider this question as very difficult of accurate solution; and would suggest to the Committee, to take the opinions of others in the profession who may have distinguished themselves in science, such as Dr. Wollaston, Sir Gilbert Blane, Dr. Baillie, Sir Everard Home, or Mr. Cline, that the best information may be obtained on this highly important and interesting subject; and if the Committee do think proper to come to such decision, I should recommend that the gentlemen fixed upon be requested, in the first place, to inspect the existing state of health of the whole of the convicts.

I have the honour to be, Sir, your very obedient Servant,

(signed) *A. Copland Hutchison, M. D.*
R. Auld, Esq. &c. &c. Medical Superintendent.

N° 2.

Gentlemen,

Leicester-square, 4th October 1822.

SINCE my last Quarterly Report of the state of health of the prisoners, generally, I have attentively inspected the whole of them at three different periods, namely, on the 1st of August, September, and October, and, at the same time, their sleeping and working cells.

The number of deaths during the quarter appear to be but four, namely, Elizabeth Mounsey in July, Edward Chubbs, Elizabeth Collis, and Jane Downe, in September, there being none in August.

It may be expected that I should make some remark on the effect of the change of dietary upon the health of the prisoners; but as two months have hardly elapsed since the change took place, and the prisoners *generally* being in their *usual* state of health, I think it will be more correct to leave any specific report upon the subject of the dietary, either until some visible change has taken place in the health of the prisoners, or until a sufficient length of time has elapsed to enable us to form a more correct judgment on this important subject. I may just remark, that on going round on the 1st instant, the people complained much less than on my previous inspection, and the little complaint there was, was entirely confined to the two female pentagons, and male pentagon 6: in the latter pentagon several prisoners of the first class complained to me of pains in their legs and feet, and stated, that they had not more than about *five* minutes walking in the course of twenty-four hours, which I conceive to be too little to preserve them in health.

Every part of the prison appeared to be clean, excepting the female pentagon now being white-washed.

I have the honour to be, Gentlemen, your very obedient humble Servant,

(signed) *A. Copland Hutchison,*
The Honourable Medical Superintendent.
The Committee of General Penitentiary.

N° 3.

December 30th, 1822.

REPORT on the Death of *Mary Brenton*.

Mary Brenton was removed to the infirmary on the 6th of December, complaining of pain in her stomach. Her complaint assumed a serious aspect on the 14th, an attack of fever having taken place. She died on the 20th. Dr. Hutchison saw her from the commencement of her disease; we had no hopes of her recovery from the 14th.

The

The coroner sat on the 21st December; verdict, By the visitation of God; one of the jury observed, he had noticed a protrusion about the lower part of the chest; I went with them and examined the body, and found nothing amiss; they were satisfied. (signed) *J. Pratt*, Surgeon.

APPENDIX
(C.)

The Honourable the Committee, &c. &c.

January 2d, 1823.

Mary Brenton was ordered to the infirmary at my monthly inspection of the prisoners, on the 2d ultimo, and was then prescribed for; within a day or two she was returned to the prison, and in about the same period was again admitted into the infirmary; on my next visit I found her seriously ill, labouring under continued fever, which her attendants appeared to be so unconscious of, that I found it necessary to acquaint them with the fact; not that I witnessed any want of attention on their parts, but only an ignorance of the impending danger in her case, and which I noticed, for the purpose of more than common attention being paid to her.

I visited her daily for the last few days of her life, and on one occasion twice in the day.

I have been thus particular in remarking upon *Brenton's* case, because I am the more convinced of the propriety of a rule for the surgeon, suggested by me to the Committee three or four years ago, with respect to the discharge from the infirmary of patients once admitted, namely, "That the surgeon shall not discharge from the infirmary to the prison, any patient, male or female, without the approval of the principal medical officer, unless in cases of emergency, on account of a deficiency of room."

No additional expense, delay, or inconvenience, can possibly be feared from the adoption of this rule, when the Committee are aware that my visits, under ordinary circumstances, are performed once oftener in the week than is required by the instructions.

(signed) *A. Copland Hutchison*,
Principal Medical Superintendent.

Gentlemen,

PERMIT me to intrude on your attention for a few minutes.

You mentioned that Dr. Hutchison, in his Report on the death of *Mary Brenton*, said, she had been removed too soon from the infirmary.

When she came up, either that or the following day, Dr. H. saw her; I then mentioned that she was better, and that it was my intention to remove her; Dr. H. made no objection. She was removed down on the 5th of December, in the course of which morning Dr. H. and myself went round; I called his attention particularly to her; (Mrs. Wilkinson was present); he said, he could see no reason for her complaining, but that I had better give her a preparation of steel, and should she complain again, to remove her to the infirmary, which I did the following day; she continued much the same till the 14th, when an attack of fever took place, and of which she died.

I trust you will excuse my thus troubling you.

I remain, Gentlemen, your most obedient Servant,
(signed) *J. Pratt*.

The Honourable the Committee, &c. &c. &c.

January 4th, 1823.

N° 4.

Gentlemen,

7, Spring-gardens, 10th January 1823.

ON inspecting the prisoners in each of the six pentagons, at the commencement of November, December, and of the present month, I found them apparently in their usual degree of health, and their apartments clean.

I observed, however, that the passages, during my last inspection, throughout the male pentagons, were hardly of a sufficient heat, although the weather was temperate for the season of the year. Early in the last frost I had made inquiry into the state of the prisoners as to this particular, and found that complaints were made in division B. of pentagon 6, which I then visited, and found the thermometer hanging in the passage, standing at only 46°; which I considered too low to preserve health, and accordingly addressed a letter to the governor on the subject, with the view of having the defect remedied.

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The patients in the male infirmaries have not increased during the last quarter, taking into consideration the increased number of convicts; neither have they in the female, until after Christmas; since which period, they have multiplied in a ratio far beyond any precedent; there being about 60 infirmary cases, which is more than there is actual accommodation for; but, happily, one only of this number is seriously ill, their diseases being chiefly of a trifling nature, namely, pulmonic affections or common catarrhs; several complaints of the stomach, real, imaginary, or affected; rheumatism, and a very few cases of slight fever not attributable to any particular cause.

It may, perhaps, be proper that I should here state, that, in my last inspection on the 6th and 7th instant, I have had more complaints, principally in the female pentagons, concerning the dietary, than during any former inspection since the change: but, in candour, I must say, that I am perfectly unconscious of any injurious results to the health of the prisoners, arising from that cause: if I were to except a few more cases of diarrhœa, but of this I am not, as yet, quite certain, for the prisoners who complain of their stomach and bowels, have *knowledge* enough to make them aware that the present form of dietary is more likely to affect their constitutions through these organs, than in any other manner; and as a proof of this fact, we have on strict examination found two or three individuals reported, as suffering under diarrhœa, that on their evacuations being examined, had passed good figured motions.

The number of deaths during the past year amounts to *twenty-two*, namely, 12 females and 10 males. The leading diseases of which they died, were visceral, and a few cases of continued fever.

It may be satisfactory to the public to know, that, notwithstanding the newspaper remarks in the month of May last, the health of the prison is hardly inferior to that of any community of persons in the kingdom, more especially when the previous habits of the individuals now under review, are taken into consideration. The health of the prisoners during the last year, calculating this from the number of deaths, according to the convict population, may notwithstanding, be considered as a fraction less than in the preceding year; but if I were asked, on my oath, whether I considered this circumstance as likely to have arisen from the change of dietary, my answer should be in the negative; and if I were likewise asked, whether I believed that a sufficient period had elapsed to give the present system of dietary a fair trial on the health of the prisoners, my reply should be, that I do not consider a sufficient time to have elapsed to answer this question decidedly; nor do I think a shorter period than two years, from the commencement of the present system, to be long enough to come to a decision on this important subject; unless, indeed, some very unexpected indisposition were to arise among the prisoners in the mean while, of which I should give due notice to the Committee, or the Visitor for the time being.

Anxious to offer to the Committee a comparative statement of the health, on board the Hulks and in the Penitentiary, I solicited of Mr. Capper of the Home Office, an account of the deaths among the convicts on board these vessels, and the following is that which he has been so polite as to furnish me with:—

							Average number daily on board the Hulks.			Deaths.
1820	-	-	-	-	-	-	2,800	-	-	65
1821	-	-	-	-	-	-	2,800	-	-	64
1822 at Woolwich	-	-	-	-	-	-	650	-	-	18
— at Sheerness	-	-	-	-	-	-	900	-	-	13

In submitting this document to me, Mr. Capper mentioned, that the mortality at Sheerness, was considerably less in 1822, than in former years.

From the above statement, it is evident that the number of deaths during the years 1821 and 1822, has been greater in the Penitentiary than among the convicts on board the Hulks; and it shall be the subject of a few observations, to endeavour to account for this circumstance.

First,—They are entirely male convicts on board the Hulks, amongst whom the mortality has invariably, at least with us, been less than among females.

Secondly,—Convicts in the Hulks are daily employed at hard labour in dock-yards or arsenals, which I consider a more healthy occupation than those pursued by the convicts in the Penitentiary.

Thirdly,

Thirdly,—The greater number of convicts on board the Hulks remain but a short period, or until they are embarked for New South Wales; so that their spirits are kept up in the anxious hope of a favourable change in their situations on their arrival in that colony. Whereas, with us, the mind being, as it were, constantly turned in upon itself, and there being very little prospect of emancipation, until the full expiration of the sentence of imprisonment; added to the sameness of situation and objects, with the comparative sedentary life led, will tend in no small degree to account, in my opinion, for the trifling difference of health, that exists between the Penitentiary and Convict Hulks.

The result then appears to me to be, that the convict population of this country enjoys as high, if not a higher degree of health, as before stated, than will be found to exist in common life, as far, at least, as relates to the Penitentiary and Convict ships.

I have the honour to be, Gentlemen, your very obedient humble Servant,
(signed) *A. Copland Hutchison*,
Principal Medical Superintendent.

The Honourable
The Committee of General Penitentiary,
&c. &c. &c.

N° 5.

Gentlemen,

Spring-gardens, 14th February 1823.

THERE being a few slight cases of scurvy among the prisoners, I beg earnestly to state to the Committee, that unless the convicts be allowed a greater share of exercise than they at present enjoy, particularly in the winter months, I feel quite certain, that the scurvy will not only *not* disappear from among them by the cure of those now labouring under that malady, but also that other diseases no less direful in their consequences, will eventually make inroads among them.

I consider it my duty, therefore, to make this statement to the Committee, and to refer them to my quarterly report, dated 4th October last, where it will be found that I have adverted to this subject, and also in communications to the Committee of an earlier date. The pump and mill now in operation in the Penitentiary, give exercise only to the muscles of the arms and trunk, whereas such a machine as the tread mill, would give exercise to every voluntary muscle of the body; and in my opinion, would greatly contribute to the preservation of the health of the prisoners in this establishment.

I beg also to recommend to the Committee, that each of the prisoners be allowed a hard sea biscuit daily, to eat with their soup in the evening.

I have the honour to be, Gentlemen, your very obedient humble Servant,
(signed) *A. Copland Hutchison*, M. D.
Medical Superintendent.

The Honourable
The Committee of General Penitentiary,
&c. &c. &c.

N° 6.

Sir,

Spring-gardens, 24th February 1823.

I HAVE the honour to acquaint you, for the information of the Committee, that one well marked case of scurvy, and two others of a less distinct character, have shown themselves among the prisoners within these three or four days, in addition to the cases mentioned in my letter to you of the * 8th instant. That the number of cases of flux has likewise greatly increased within the same period, and that Humphrey Adams died last night from the latter disease, after a very short illness.

There is a species of flux styled by writers scorbutic dysentery, and this appears to me to be the disease under which the prisoners in the Penitentiary now labour. I have therefore to request, with the view of arresting the further progress of this destructive malady, that the prisoners be allowed a much greater share of exercise in the open air than they have hitherto enjoyed, and that the vegetables for their soup

* Suppose that of the 14th February is alluded to, there being no letter of the 8th.

† The letter of the 8th of February, adverted to in the above note, was subsequently found and produced by the Penitentiary Committee. See the Evidence, (p. 36.)

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soup be increased in quantity; having found on inquiry this day in one of the male kitchens, that the quantity of vegetables for the soup was not increased with the number of prisoners lately admitted into that part of the prison, *id est*, the quantity being the same as previous to such increase of numbers.

If the view I have taken up of the nature of the dysenteric affection above alluded to be correct, the present system of diet may have no share in the production of the disease; but at present I am unable to speak decidedly on the subject: at all events, I beg and earnestly entreat, that the suggestions contained in this letter, may be acted upon with the least possible delay.

I have the honour to be, Sir, your very obedient humble Servant,

(signed) A. Copland Hutchison,
Medical Superintendent.

To the Visitor of the General Penitentiary, &c. &c. &c.

N° 7.

Sir,

Spring-gardens, 28th February 1823.

SINCE my letter to you of the 24th instant, I have daily visited the Penitentiary, and have found four more cases of scurvy, two of them attended by flux. I have likewise to acquaint you, that in the kitchen for pentagon 5 and 6, alluded to in my last communication, as being deficient in vegetables for the soup, there has not been any increase of ox-heads, notwithstanding that about forty new convicts have been admitted into that part of the prison.

On attentively considering the quantum of animal matter consumed by the prisoners, according to the present regulations, I am now quite confident that it is *not* sufficient to shield them against attacks of scurvy and scorbutic dysentery, more especially when the other great predisposing causes to such diseases cannot wholly be removed, owing to unavoidable circumstances. The predisposing causes being deficient exercise, solitary confinement, and mental dejection.

On strict inquiry, I find that the animal matter when removed from the bones of the largest ox-head that has yet been received by the superintending cook of the 1st and 2d pentagons, amounted in weight to but eighteen pounds, and supposing the smallest to be fourteen, the average will then be but *sixteen* pounds, being the whole of the animal food daily allowed to *one hundred persons*. I beg, therefore, to propose to the committee, that at *least* one half more be added to the soup of stickings of beef, and that the quantity of barley, which now chiefly gives the consistence to the soup, be diminished in a proper ratio; also, that the prisoners be each allowed a hard biscuit per diem, to eat with their soup in the evening, as mentioned in my letter of the 14th instant, with a small increase of vegetables; and likewise one ounce of lemon juice to each person every week, made into sherbet, with half an ounce of common brown sugar, and ten ounces of water.

A diet so arranged, when combined with an increase of exercise, would, I have reason to believe, very materially lessen, if not remove, the scorbutic diathesis that now so much prevails, and yet keep entire the present system of dietary.

I have the honour to be, Sir, your very obedient humble servant,

(signed) A. Copland Hutchison,
Medical Superintendent.

W. Courtenay, Esq. Visitor, &c. &c.

N° 8.

General Penitentiary, 28th February 1823.

THE Committee of the General Penitentiary present their compliments to Dr. Hutchison, and enclose a copy of the resolution to which they have come, after a full consideration of the present state of the prison, for calling in the assistance of two other professional gentlemen;—a resolution which they hope will be a relief to his mind, as it will be satisfactory to themselves and the public, the attention of which, seems to have been already drawn to this important subject.

A. Copland Hutchison, M. D. &c. &c.

At a Special Meeting of the Superintending Committee,
held the 28th February 1823.

Resolved, " That two physicians be professionally employed to visit the infirmaries;
" to communicate with Dr. Hutchison and Mr. Pratt, and to give such directions
" for

“ for the treatment of the patients as they may think proper; and that they be
 “ requested to direct their attention to the causes of such sickness, and particularly
 “ to inquire how far the same is to be ascribed to the dietary. That for this purpose
 “ they be desired to meet either daily, or so often in the week, as may appear to
 “ be necessary, and for such period as may enable them to form a decided opinion
 “ upon the subjects referred to them.”

N° 9.

Gentlemen,

Spring-gardens, 8th April 1823.

ALTHOUGH my functions as medical superintendent of the Penitentiary have been in a manner superseded since the expiration of the last quarter, two gentlemen having been appointed to perform the medical duties, who, I understand, are required to *act and report, independently of me*; I nevertheless deem it my duty, in compliance with my instructions, to continue my customary quarterly report.

In my frequent inspections of the prison during the last six weeks, I found the cells more cleanly than the persons of many of the convicts; the feet and legs of several of the male prisoners appearing by no means to have been properly attended to in that respect.

The deaths since the 1st January up to the present period, have been seven females and twelve males.

The only important remark to be made, is the breaking out of the disease commonly called sea scurvy, in the early part of February; and scorbutic dysentery and diarrhoea have been the chief source of mortality. There were yesterday ninety-one patients in the infirmaries of all descriptions of cases, of whom about eight are severely afflicted; and although the cases of scurvy are much diminished, there is still a considerable number affected with that disorder, some of which appear to be of a serious nature. Gentlemen, this species of scurvy is a disease of a very singular nature, and has nothing in common with the other diseases which pass under that name. It hardly ever occurs except at sea, so that few practitioners in common life have ever met with it.

In consequence of serving at sea for some years, and having been one of the principal medical officers of the Naval Hospital at Deal, for between seven and eight years, this disease fell largely under my observation and treatment. As this made part of the duty of my public situation, I claim no merit; and as it would ill become me to boast of my qualifications, I must refer you to my general character and competency in my profession, to those members of it to whom I am personally known, and to the profession at large, to whom I am known by my writings. I allege further, that I received the education of a physician, and am a graduate in physic; and humbly conceive, from all these considerations, that I was not undeserving of your confidence, particularly in the present emergency; and should have been proud and happy to have done my best for these unfortunate persons intrusted to me, had it been your pleasure.

Gentlemen, I have only further to state, as a matter of duty to you, as well as justice to myself, that from my experience in this disease, I am well convinced, that had my recommendation regarding diet, air, and exercise, in my reports, dated March 1822 and subsequently, been adopted, this disease would either have been prevented or sooner subdued.

I shall conclude by assuring you, that what I have said does in no respect proceed from any feelings of jealousy or disparagement, towards the gentlemen whom you were pleased to appoint to supersede me in this duty; but, on the contrary, that I have much reason to be satisfied with their candid behaviour to me; and I cannot but feel for gentlemen of their liberal character, in having imposed upon them a task, implying an indignity on one of their brethren. I may also add, that the surgeon, during this distressing period, has been indefatigable in his duties.

I have the honour to be, Gentlemen, your very obedient humble servant,

(signed) A. Copland Hutchison,

Medical Superintendent.

P. S. As it is my principle to act openly, I think it right to acquaint you, that I shall send a copy of this letter to the Secretary of State for the Home Department, as I have done with my other communications to you on this subject, as he has been pleased to send for me, in order to consult me regarding the health of the prisoners.

(signed) A. C. H.

APPENDIX
(C.)

N° 10.

Sir,

General Penitentiary, April 12, 1823.

YOUR letter of the 8th instant has this day been laid before the committee; from the tone in which that letter is written, and from the evident indisposition on your part, to hold any useful communications on subjects connected with your medical duty, with the superior officers of this establishment, which has long been observed and regretted by us, it does not appear to us possible that your medical attendance upon the prison can continue to go on under our superintendence, with any sort of comfort either to us or to yourself, or with any prospect of advantage to the public.

We have, therefore, reluctantly, felt it to be our duty to direct a committee to be summoned, in order to take into consideration your removal, and the appointment of another physician as your successor. We have, however, directed that the summonses for this purpose shall not be issued until Tuesday, in case you should wish, by any communication to the secretary, to save us from the necessity of taking this formal and unpleasant proceeding.

Under these circumstances, the committee do not feel it necessary to make any more particular remarks upon the statements in your letter, except to say, that upon reference to your reports, dated March 1822, and subsequent to it, we feel confident that your observations, with relation to those reports, must have been written under some mistake, as they appear to be altogether unfounded.

I have the honour to be, Sir, your most obedient servant,

(signed) *E. Bootle Wilbraham,*
in the chair.

Dr. Hutchison, &c. &c.

N° 11.

Gentlemen,

Spring-gardens, 14th April 1823.

I HAVE to acknowledge the receipt of your letter of the 12th instant, intimating, that from an indisposition on my part, to hold any useful communications on subjects connected with my medical duty, with the superior officers of the Penitentiary, which has long been observed and regretted by you, it does not appear to you possible that my medical attendance upon the prison can continue to go on under your superintendence, with any sort of comfort either to you or to myself, or with any prospect of advantage to the public; you have, therefore, reluctantly felt it to be your duty to direct a committee to be summoned, in order to take into consideration my removal, and the appointment of another physician (*a medical superintendent*) as my successor. You have, however, directed that the summonses for this purpose, shall not be issued until Tuesday, in case I should wish, by any communication to the secretary, to save you the necessity of taking this formal and unpleasant proceeding.

In answer, I beg to say, that never having felt any indisposition to hold communication with the other officers of the institution, but, on the contrary, having studied, as was my undoubted duty, to cultivate, as far as possible, the utmost harmony with them; and being conscious also of ever having done my duty with the utmost assiduity and zeal, as principal medical officer of the Penitentiary, both during the three years and upwards in which I performed the duty gratuitously, as during the like period in which I have received a salary; I beg to decline the offer you make me, however well meant, of accepting my resignation;—whatever you may be pleased to do on this point, must be on your own responsibility.

I shall soon, at more leisure, make such remarks on the whole of these proceedings as I deem due to myself, and to the welfare of the institution; and shall now only remark, with respect to what you allege regarding my differences with the superior officers, that, with the exception of the chaplain (whom I believe to be the author of all these differences, and whom I shall ever consider as having acted a part most unworthy of his sacred function, by stooping to become a spy and talebearer, and by having, on a certain occasion, endeavoured to take away my character, by a most unfounded imputation), I have lived on the best terms with the other officers, to whom I have never given the least cause of offence, unless such occasional admonitions as I was called upon to give, in the conscientious exercise of my duty, particularly to the matron and surgeon, could be so construed.

With

With regard to the other part of your letter, in which you allege, that "upon reference to my report," (in answer to your letter of the 18th March 1822, respecting change of dietary) "and those subsequent to it, it had been written under a mistake, as they appear to be altogether unfounded," I am compelled to say, that it is utterly inconceivable to me how you can put this construction on my communications to you of March and October 1822; for in the former, I recommended a diet entirely different from that which you judged proper to adopt, and in that of October, I made certain representations regarding the necessity of more walking exercise; as also, some months previously, when addressing you on this subject, I even recommended that the prisoners in the yards, be made to move at the rate of a military "*trot*."

Gentlemen, I should be guilty of affectation were I to make light of the misfortune of being deprived of my situation; but let it be understood, that it is not the salary upon which I set a value. It is well known to all those who are acquainted with me, that I have ever pursued my profession with enthusiastic ardour, and equally so, whether with or without emolument. Had it not been for this, and the deep interest which I took in the welfare of this infant establishment, I could not have been induced to retain this situation so long, under the despiteful treatment I have met with; and I will venture to warn you, that you will not easily find a successor to me, who, with that liberal and independent mind which every professional man ought to possess, and having a due respect for himself, will be induced, under the like treatment, to serve you as long as I have done. But upon this and other topics, I shall soon address you at more length.

I have the honour to be, Gentlemen, your very obedient humble servant,

(signed) *A. Copland Hutchison, M. D.*
Medical Superintendent.

The Honourable
The Committee of General Penitentiary,
&c. &c.

P. S. I beg to offer my apologies for the hasty manner in which this letter is drawn up. (signed) *A. C. H.*

N° 12.

Gentlemen,

Spring-gardens, 19th April 1823.

I HAVE had the honour to receive your letter of the 12th instant (to which I have already made some reply) intimating that it was intended to call a meeting of your members to consider of my removal from the situation I have held nearly seven years, as principal medical officer of the Penitentiary; grounding that extreme measure only, as far as I can discover, on three points: First, the tone of my Report to the Committee, dated the 8th instant; secondly, that I have shown a *disinclination* to communicate with the *officers* of the establishment; and thirdly, that my assertions, of having in March 1822, and subsequently, recommended diet and exercise for the prisoners on a greater scale than the Committee had thought fit to adopt, was *unfounded*.

In answer to which I beg merely to observe, that nothing in the tone or contents of my letter was intended to be disrespectful to the Committee; and allowing for very natural feelings, under what I considered to be, not only unfriendly, but hard and unmerited treatment in the recent medical inquiry, I hope this letter, when candidly interpreted, will be found very far indeed from being an adequate cause for the proceeding contemplated.

In regard to the second reason, that I had shown a disinclination to communicate with the officers of the establishment. If by this charge it be meant, that I had not co-operated with them at all times as far as was necessary for the good of my patients, I beg leave solemnly to deny the fact; and I cannot but think, that such a charge should not so hastily and lightly have been made, without a shadow of foundation. On the contrary, I have ever been on as friendly terms as was compatible with our relative situations, with every officer in the Penitentiary, with the single exception of the chaplain; and if with him for some months past I have had no interchange of personal civilities, I must in the first place say, that this

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(C.)

alteration was of his own seeking; and in the next, that there is no conceivable connexion between the duties of the chaplain and my own, and therefore, as far as the public service is concerned, it cannot be of the slightest importance to the Committee, whether we are on friendly terms or otherwise.

In regard to the third point, it is a dry question of fact, I may say of arithmetic. I beg to enclose, for the information of the Committee, a Comparison of the Scheme of Dietary in use before March 1822; of that which I then proposed; and of that which the Committee adopted in June, and acted upon on the 4th of July of the same year. By this Paper it is arithmetically demonstrated, that my assertion is undeniable in respect of Diet; and in regard to Exercise, I have only to refer to my letters on that subject, wherein it will be found, that I, in the first place, recommended the prisoners to be made to move at a "trot" (the word used in my communication alluded to) when in the airing and exercise yards; secondly, in my report before quoted, the 4th of October and subsequently, to establish the point most unequivocally.

Waiting with the utmost calmness your decision, which I trust will be such as shall hereafter be pronounced answerable to your high stations in the country, and to the interests of that trust which you have voluntarily undertaken to fulfil,

I have the honour to be, Gentlemen, your very obedient Servant,

(signed) A. Copland Hutchison, M. D.
Medical Superintendent,

The Honourable
The Committee of General Penitentiary.

ENCLOSURE.

SCHEME, N° 1.		SCHEME, N° 2.	SCHEME, N° 3.
First or original DIETARY, previous to 5th July 1822.		DIETARY recommended by Medical Superintendent, as by his Letter, dated 22d March 1822.	DIETARY established by Committee, and acted upon 5th July 1822.
Daily 1½ lb. of bread for every male prisoner above the age of 18 years, and 1 lb. for every other prisoner. But boys under 18 may have the full allowance of bread, if it be certified by chaplain and governor that their conduct has been meritorious during the week preceding.		After showing, by practice and observation, that the first dietary was too abundant, I then made some observations on the subject of its not being too much and too suddenly lowered. I then gave, with great diffidence, the following, namely;—	<i>In the morning.</i> —Three-quarters of a pound of bread, and one pint of gruel, for the males; and nine ounces of bread, and three-quarters of a pint of gruel, for the females.
For Breakfast -	{ 1 pint of hot gruel or porridge.	That "the daily allowance of bread to be precisely what it now is.	<i>At noon.</i> —Three-quarters of a pound of bread, and one pint of soup, for the males; and nine ounces of bread, and three-quarters of a pint of soup, for the females.
For Dinner:	Sunday - -	"Gruel the same, night and morning, warm.	<i>In the evening.</i> —One pint of soup for the males, and three-quarters of a pint for the females.
	Tuesday - -	"One quart of broth to the males, as now made; the same quantity to the females employed in the wash-house	
	Thursday - -	"and laundry; the other females, one pint and half only, during six days in the week.	The soup to be made with ox heads, in lieu of other meat, in the proportion of one ox head for about 100 male prisoners, and the same for about 120 female prisoners; and to be thickened with vegetables and peas, or barley, alternately, either weekly or daily, as may be found most convenient.
	Saturday - -	"Eight ounces of meat, of the same kind as they have heretofore been accustomed to, on Sundays, with one pound of boiled potatoes, omitting broth on this day altogether; for every description of prisoners."	
	Monday - -		
	Wednesday - -		
	Friday - -		
For Supper - -			
{ 1 pint of hot gruel or porridge.			
Note.—Then follow some other articles and extras to be issued on particular occasions, &c.			[The Note affixed to the bottom of Scheme N° 1, applies here.]

A COMPARISON of the Weekly Allowance of FOOD to a Male and Female, jointly, by each of the Three Schemes of Diet under consideration.

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(C.)

FIRST SCHEME, IN USE PRIOR TO 1822:

	17 lbs. 8 oz. bread	-	-	-	} Farinaceous or esculent food.	
	28 pints of gruel or porridge	-	-	-		
	14 pounds of potatoes	-	-	-		
During four days,	{	48 ounces of boiled meat, free of bone	-	-	} Estimated to require of undressed animal food,	
		4 pints of broth	-	-		-
On the other three days,	{	9	13.	-		64 ounces.
			pints of broth	-		-

With vegetables, rice, barley, and pease, to improve the broth.

TOTAL - - 76. ounces per week for each couple; or nearly 11 ounces of Animal Food a day for a male and female together.

SECOND SCHEME PROPOSED BY DR. HUTCHISON IN MARCH 1822:

17 lbs. 8 oz. bread	-	-	-	} Farinaceous or esculent food.	
28 pints of gruel or porridge	-	-	-		
2 pounds of potatoes	-	-	-		
16 ounces of boiled meat	-	-	-		
21 pints of broth (improved as before)	-	-	-	} Estimated to require of undressed animal food,	
					20 ounces,
					28 "
				TOTAL - - 48 ounces per week for each couple; or nearly 7 ounces of Animal Food a day for a male and female together.	

THIRD SCHEME;

Being that in present use till the late Sickness:

	{	18 lbs. 6 oz. of bread (or to be changed by 1 lb. of potatoes for each $\frac{1}{2}$ lb. of bread) - - - - -	}	Farinaceous or esculent food.
		12 $\frac{1}{2}$ pints of gruel - - - - -		
		24 $\frac{1}{2}$ pints of broth (improved as before.)		

Animal Food allowed to make the broth:—Two ox heads for each 220 persons, 8 lbs. on an average; but allowing another pound for animal matter contained in the bones, this gives 288 ounces among 220 persons ($1\frac{1}{3}$ ounce to each person,) being a weekly allowance to each couple of nearly 19 ounces of undressed animal food, or two ounces and two-thirds to each couple daily.

N^o 13.

Sir,

General Penitentiary, 19th April 1823.

BY direction of the Superintending Committee of this Establishment, I enclose to you, an Extract from the Minute of their Proceedings this day.

I have the honour to be, Sir, your most obedient Servant,

(signed) Rob. Auld, Secretary.

A. Copland Hutchison, M. D. &c. &c.

At a Meeting of the Superintending Committee, held the 19th April 1823.

Resolved, That

“ The Committee having maturely considered the Correspondence which has
“ taken place with Dr. Hutchison, now laid before them, are unanimously of opinion,
“ That he should be removed from his situation as Principal Medical Superintendent
“ to the Penitentiary; and therefore he is removed from this day.”

(D.)

APPENDIX
(D.)LETTER from Dr. Hutchison to The Honourable Henry Grey Bennet,
Chairman of the Select Committee on the Penitentiary, &c. &c.

Sir,

Spring Gardens, 27th June 1823.

SINCE closing my evidence on Wednesday, I have recollected a circumstance which ought to have been explained both in justice to myself and to the treatment of the convicts, generally, in the Penitentiary.

Mr. Pratt and the matron have stated in their evidence, p. 99 and 102, that on one occasion, in November or December last, while I was accompanying them in my inspection of the female wards in the prison, several of the convicts complained of weakness of the stomach, which, debilitated by deficient diet, had finally rejected their food; and that, in this situation, I had prescribed warm water for them.

To the Profession, such a declaration is so ridiculous that it would not be credited for a single moment; but for the information of the committee, it may be proper I should declare that there is no manner of foundation for the assertion. The fact is merely this: that in one of the last cells we visited, I was asked by two females, to allow them a little warm water, which they said Mr. Pratt had *previously allowed to two others* whom they named, and had refused it to them. On which, conceiving they wanted it for toast and water, and seeing no reasonable objection to such an indulgence, I whispered Mr. Pratt, that as he had allowed it already to some of them, he might indulge those also: I then informed the applicants that Mr. Pratt would comply with their request; which very trivial circumstance he has magnified into my prescribing warm water; whereas, in point of fact, the parties not being sick and being at work in their cell, were not prescribed for at all! and if they had made the complaint ascribed to them, they would instantly have been removed from their cells into the infirmary.

I have the honour to be, Sir, your most obedient and very humble Servant,
A. Copland Hutchison.

(E.)

APPENDIX
(E.)N^o 1.—LETTER from Mr. Morton Pitt to the Chairman of the Select Committee on
the General Penitentiary; with Enclosure.

Dear Sir,

MY answer to Mr. Courtenay's letter of the 8th of May has caused a statement from the Penitentiary committee to be addressed to me; it is dated May 17th, and was enclosed in a letter of Mr. Auld's, the secretary, of the same date. It is rather singular that this document, which was presented, as I understand, to the Select Committee on the 27th, was not sent to me till the 30th, as appears by the London post mark. As the above statement is in evidence before you, and that I have found it necessary to reply to it, I must take the liberty of requesting, through you, of the kindness, and may I say the justice, of the Select Committee, that my reply, dated June 9th, and a literal copy of which is herein enclosed, may be permitted to be inserted on your minutes.

I am desirous of submitting likewise to the Select Committee a few remarks on the evidence of Mr. Holford. He mentions that I have introduced much *detail* in the Penitentiary committee. Those details were principally recommendations of arrangements for the discipline, regularity, and good order of the prison, by means of a regular gradation of superior and inferior officers, and by conveying to the governor, the visitor, and the committee, through reports from those officers, a knowledge of all proceedings as to the conduct of the prisoners, the works performed by them, the deliveries of all articles, and the expenses of the establishment; also the clearing up, and stating from the beginning, all the accounts of the institution; and, lastly, the introduction of various objects of economy. The arrangements, as to discipline and accounts, have been completed, and some progress has been made as to the economical recommendations; but I am of opinion, that a considerable further reduction is still practicable. These objects appeared to me to be of great importance, to them I directed my attention, and the management of the prison itself was undertaken by other gentlemen; and, under these circumstances, I can hardly feel that I am open to censure for troubling the Penitentiary committee with such details. My time having been principally given up to these pursuits, and not having been a visitor, I think, since the beginning of 1817, I conceive it will not be in my power to communicate to the Select Committee any material information on the practical management of the institution.

Mr. Holford

Mr. Holford has also thought fit to account for my retiring from the Penitentiary committee, in these words; "*There can be no doubt of his having resigned under a notion that the committee were wrong in the removal of the late medical superintendent;*" but seems to have forgotten that he was informed by me, very early in this session of Parliament, and long before the late transactions relative to Dr. Hutchison, that such was my intention; and I believe I could also call to his recollection, that I made a similar communication to him at least a year ago. He proceeds to say, "*Mr. Pitt's opinion, upon this occasion, is not a judgment pronounced upon full knowledge of the proceedings,*" &c. but "*founded rather upon his general confidence in the gentleman removed, than on any other ground.*" I certainly am of opinion, that Dr. Hutchison has received harsh treatment and undeserved injury; but I have the most full reliance on the impartiality of the Select Committee, and am persuaded that, in its Report, it will do him ample justice, and relieve him from the effects of the erroneous opinion which may have been taken up by the Public. I certainly acknowledge a great regard for Dr. Hutchison; I know his merits to be great, and that the attention he has paid to the discharge of his duties has been exemplary; I believe his skill and talents to be very considerable; and I have always understood that the humanity he has shown to the prisoners has produced very generally a strong effect on their minds.

I have the honour to be, dear Sir,

Very faithfully Your's,

Dover-street, June 16, 1823.

W. M. Pitt.

(Enclosure.)

IN answer to the minute which the Penitentiary committee have done me the honour to send to me, enclosed in a letter from the secretary (dated May 17th, but which I did not receive till the 31st), I have first to express my regret at an inaccuracy in stating the time of my leaving London last year, which I really thought had taken place the last week in May, instead of the first week in June, as now appears to have been the case; and which I am most ready to admit, though it seems a circumstance of little importance in itself: it is, however, rendered clear from the minutes, that I attended the committee, not only on the 24th of May 1822 (of which I had no doubt), but also on the 31st of that month; yet I really have no recollection of the specific *resolutions* which may have passed that day, or even on the 24th.

I remember, most perfectly, the new dietary being discussed on *one* of my last attendances at the Penitentiary before I left town, and that it was approved (I believe by every member then present, with one exception) but I so little understood it to have been then *actually voted, or finally resolved upon*, that feeling much anxiety for that measure, I expressed to more than one member of the committee, my earnest *hope* (as mentioned in another of my letters) that it might be brought forward with as little delay as possible, for the purpose of being absolutely decided before the summer. Again, as well as I can recollect after so long an interval, I was at the Penitentiary but for a *very short time* (and still less in the committee room itself) on the *last day when I attended*, and which appears to have been on the 31st of May, and the resolution referred to in the minute, as having passed on that day, may very probably have been voted after I left the room.

In regard to the communication stated to have been made by me to the committee on the 24th of May, of the sentiments of Dr. Hutchison upon the dietary, I have no memorandum of that communication, but I may perhaps have expressed, in such strong terms, my *hope* that he *might* reconcile himself to its being adopted as an *experiment*, as to have induced the committee to presume that it *had* at last his positive approbation and sanction: I am much inclined to believe that it really was so.

It appears by the minutes, that the committee also conceived that I had obtained Dr. Hutchison's approbation of the number of ox heads necessary for the soup proposed to be distributed to the prisoners. I had considered that point rather as a question for the cooks to ascertain, and it was to them I put it—" *what quantity of ox heads would be requisite to make soup of the excellent quality then in use;*" and I have a memorandum before me of their answers. The cooks of the kitchen for the pentagons 1 and 2, said, that it would require *four* ox heads to make such soup for 300 male prisoners; but the cooks of the pentagons 5 and 6, said, very decidedly, that *two* ox heads would be sufficient for the same number of male prisoners, the medium being *three*, or one ox head for 100 male prisoners. I proceeded to the kitchen for the females, pentagons 3 and 4, and the cooks of that kitchen gave it as their opinion, that three ox heads would suffice for 400 female prisoners. The allowance to the women is three-fourths of that for the men, which agreeing perfectly with the *medium* above described, I recommended, on this authority, the rate of one ox head for 100 males, and for the females in proportion. I think Mr. Couch, the late governor, and Mr. Rickman, the steward, were both with me when I made the inquiry, but not Dr. Hutchison. Thus far I consider myself responsible for the original recommendation of the scheme, as well as for the substitution of ox heads in lieu of the meat before used, having been assured that a given quantity of meat from ox heads, was *far more nutritious* than a like quantity of the other. I should hope, however, that my responsibility will not be expected to extend further, and that I shall not be charged with being the cause of all the sickness at the Penitentiary. I have stated fairly the grounds of my recommendation, the success of the measure in Dorsetshire, and the statements of the cooks. The committee were aware of Dr. Hutchison's and Mr. Pratt's objections, and even

on

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on the presumption that I had been authorized by the former to accede to trying the experiment, as far as *he* was concerned, it would have been more prudent, before the measure was finally resorted to, to have obtained a positive, respectable medical sanction, to be entered on its minutes. I am satisfied the committee acted with the best intentions, but subsequent and unforeseen events render it unfortunate that a more regular course of proceeding was not adopted, and this I think should equally have been the case, had no misapprehension taken place as to the communication received from me.

It may not be unsatisfactory to the Committee, if I mention here the result of an examination I have made since I have been in the country, of the book kept by the surgeon of the prison at Dorchester. I should first state, that when we were about forming our dietary in this county, we consulted, amongst other authorities, Mr. Howard's book on prisons. It appears (page 33) that the allowance he recommends for prisoners, drinking nothing but water, is a pound and a half of good household bread daily, one day after it is baked, and further to such as are well behaved and not turbulent, one pennyworth of cheese, butter, potatoes, pease, or turnips, also daily. Mr. Howard also recommends eight ounces of coarse meat, and without bone, to be given to them *every Sunday*, which it should be noticed, is *precisely* in unison with Dr. Hutchison's opinion. After much consideration, the magistrates who had taken up the inquiry in Dorsetshire, strongly impressed with the idea of the expediency of some warm liquid food, were of opinion, that a quart of soup, *every day*, would be more than an equivalent for the cheese or other articles suggested by Mr. Howard, inclusive of the eight ounces of meat for the Sunday's dinner. Our dietary was established in the year 1809, and has been continued to this time (yet I confess, our soup is certainly inferior to that in use at the Penitentiary), and our prisoners have ever since been singularly healthy. Our total number of prisoners in fourteen years, from 1809 to 1822, both years inclusive, amounted to 5,498; our total number of prisoners reported sick or hurt of every description in the same period, amounted to 1,683, and our number of persons in fluxes during that time was only 3! Previous to the adoption of this dietary, the flux was a disorder very prevalent. In the year 1804, we had 221 prisoners in confinement; the number of sick in that year was 83, and of these, in fluxes, 35. In 1805 we had 205 in confinement, 91 sick, and 34 cases of fluxes. The annihilation almost of that complaint, we have attributed to our dietary, and we have found no inconvenience whatsoever resulting from it, and this consideration had the greatest weight with me, when I ventured to recommend the system which was adopted at the Penitentiary.

The committee, in their minute, though they admit my claim to give that testimony to the merits of Dr. Hutchison which I believe him to deserve, seem to consider, that I ought to have limited that testimony to the period of May 1822, when my attendance upon the committee was discontinued. I certainly saw little of Dr. Hutchison between May 1822 and April 1823, but if the limitation I have alluded to is to refer to the transaction which took place in June 1822, I have no hesitation in saying decidedly, that I give no credit whatsoever to the reports made to the visitor about that time, so injurious to the character of Dr. Hutchison, and this partly from the high estimation I entertain of him, partly from the opinions I have received from some of his oldest friends, and partly from having had frequent opportunities of seeing him myself in the evening. Unfortunately it is matter of extreme difficulty to disprove an alleged fact, but taking into consideration the credibility of the parties, and, on the other hand, the character of my friend, I totally disbelieve the story, and conceive him to be the victim of *cabal* and *tale-bearing*, as expressed in my letter, and that this is one instance of it.

The present discussion must naturally be extremely unpleasant to me, but I should be much grieved indeed, if any members of the late or present committee, and especially those with whom I have so long been on terms of intimacy and friendship, could for a moment suppose I wished to insinuate, that such a system had, from any of them, met with *encouragement*. When I used the expression, "I have always hoped such a system would have been *more discouraged*," and which is more particularly explained in the same letter by the subsequent words "effectually crushed," I only expressed my sincere regret that tale-bearing should have been suffered to exist, as being so subversive of discipline, and so likely to foment discontent and jealousies. That it is the duty of the committee and of the visitor, to hear complaints and redress grievances, is indisputable, but it does not follow that tales, the apparent object of which is the gratification of the resentment of individuals, ought to be attended to. My good friend, Mr. Holford, will remember I am persuaded, that I have *very long* held that opinion, and from communications I have often received from him, I have been induced to think that, in his zeal, he has been too ready to attend to reports of prisoners against officers, and officers against each other. This is one of the few points on which Mr. Holford and I have ever disagreed. In regard to the other gentlemen who have served the office of visitor, I am ignorant of what may have taken place in their time, I know their zeal for the institution, and am desirous of expressing myself towards them also, in terms of much regard and respect. Those members who have been most constant in attendance on the committee, during the period of its existence, must recollect, what a long portion of time has been devoted to the adjusting the various complaints brought before them, frequently precluding the means of discussing material objects of general arrangement. The very considerable number of officers dismissed in the course of the seven years, may, in a great measure, be attributable to this evil (which I firmly believe, and have long believed, to exist) unless it should be supposed, that the committee have been inattentive in their selection of officers, which certainly was never the case.

I am

I am perfectly aware that the powers with which the present governor is intrusted are the same as those of his predecessors, but what I have ventured to represent as the fundamental error, *I repeat*, I conceive to be, not that his predecessors had not the powers, but that the committee and the visitors, I really believe on the best and most laudable motives towards the welfare of the establishment, and to their own infinite trouble and annoyance, have undertaken the charge of *governing* it themselves, instead of *superintending* its government by the governor. If a different plan had been sooner adopted, the governors would have been more respected, a better discipline would have existed, and I believe the cabals would have been less frequent. Captain Chapman, the present governor, appears to possess a firm mind, and other requisites which promise much advantage to the institution, as I am led to presume from two conversations I have had with him; and if, as I hope and trust he will be, he is duly supported, the welfare and utility of the Penitentiary will no doubt be rendered as permanent, as I most anxiously and sincerely wish it to prove.

Kingston, Dorchester, June 9, 1823.

W. M. Pitt.

N° 2.

Copy Letter from Dr. Hutchison to E. Bootle Wilbraham, Esq.

Dear Sir,

21, Leicester-square, 4 April 1822.

I BEG leave to acknowledge the receipt of the letter you did me the honour to write, and to assure the committee of the General Penitentiary, through you, that I shall scrupulously adhere to their injunctions, respecting the confidential nature of my reports. At the same time I hope I may be permitted to remind the committee, that in my remarks on the surgeon's report of the case of Ann Atkinson, after the new regulations alluded to in your letter, I distinctly expressed my determination to be faithful to the welfare of the institution, and farther, that my only motive for acquainting the surgeon on the occasion, with the nature of the remarks I had made, was to impress upon him the very circumstance of my having so bound myself for the future.

There being no one circumstance for me to complain of, in the case of Ann Atkinson, which was not contained in the surgeon's own statement, I trust the committee will do me the honour to believe that I only performed an act of justice, without any partiality, in submitting this first remark to his inspection, with a view to his future guidance.

I have the honour to be, dear Sir,

Your very faithful and very obedient servant,

(signed)

Alex. Copland Hutchison,
Medical Superintendent.

E. B. Wilbraham, Esq. M. P.
&c. &c. &c.

N° 3.

Extract from Minutes of Committee of Penitentiary, 15th March 1822; and Copy of Medical Officer's Report on the death of Ann Atkinson.

AT a Meeting of the Superintending Committee, held 15th March 1822.

Resolved,

THAT the medical officers do report on the case of Ann Atkinson, who died yesterday, after a very short illness; which report to contain the following particulars: at what time she was taken ill; when the circumstance was first communicated to the surgeon; when her complaint assumed a dangerous aspect; when Dr. Hutchison was first applied to, and when he first saw her, with the opinion he formed of her case upon that occasion; when she died; when the coroner sat, and what observations (if any) were made by the coroner and jury on the subject.

That a similar report be made, in future, upon the case of every death of a prisoner occurring in prison; to be laid before the committee at their next meeting after such death.

Gentlemen,

In answer to your order of the 15th instant, that I should report the case of Ann Atkinson, lately deceased, I have the honour to acquaint you,—

1st,—That she was taken ill about midnight, or early in the morning of the 11th of March.

2dly,—That I visited her in the infirmary at one o'clock, as near as I can recollect, and administered to her such remedies as appeared to me calculated to relieve her. I visited her again at three o'clock the same morning.

3dly,—That her complaints began to assume a dangerous aspect, in the afternoon of this the first day of her attack.

4thly,—That I wrote to Dr. Hutchison between three and four o'clock, the dangerous symptoms not yielding to the remedies I had applied; and he saw her with me about six o'clock, prescribed for her, and stated her to be labouring under *enteritis*, or inflammation

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of the bowels. It may be necessary to remark, that Dr. Hutchison's advice was a more rigorous following up of the plan which I had already commenced upon.

5thly,—That the inflammation terminated in gangrene, and she died at two o'clock, A.M. 14th March, being only about sixty-two hours from the first attack of the disease.

Dr. H. visited her twice on the 12th, and thrice on the 13th; and my own visits were almost hourly during the day, and occasionally in the night.

The coroner sat at a quarter past four o'clock on the 15th. Verdict—"Visitation of God;" and there were no observations made, either by the coroner or jury.

I beg leave to observe, that her sister attended her on the day of her death, when she informed me, the whole of her family had died of a complaint in their bowels.

I have the honour to be, Gentlemen,

20th March 1820,
General Penitentiary.

Your most obedient humble servant,
(signed) *Jno. Pratt.*

The above statement of Mr. Pratt's is perfectly correct, as far as came under my observation. I cannot, however, allow this opportunity to escape, without assuring the committee, that I am highly satisfied with the regulation they have made, which gave rise to this report; and that they may depend on me, with the utmost confidence, for the faithfulness of the remarks I may in future think it necessary to make on all such reports.

The Honourable the Committee,
&c. &c. &c.

(signed) *A. Copland Hutchison,*
Medical Superintendent.

N° 4.

Copy Letter from E. Bootle Wilbraham, Esq. to Dr. Hutchison.

Dear Sir,

General Penitentiary, 30th March 1822.

IT must be obvious to you, that the committee do not feel satisfied with the conduct of the surgeon, in the case of Ann Atkinson; and it is so evident to the committee that you yourself are not satisfied with it, that I am directed to express their warmest hope and wish, that in the reports which, by the new regulation, you are requested to make at the death of any prisoner, you will consider yourself as confidentially communicating with them, and as released from the necessity of imparting to the surgeon the remarks which you may have occasion to make on his conduct, or on that of any person connected with the medical department of the Penitentiary.

I am, dear Sir, your most obedient servant,

Dr. Hutchison, &c. &c.

(signed) *E. Bootle Wilbraham,*

N° 5.

Copy Letter from the Committee of the Penitentiary to Dr. Hutchison, 15th July 1822, and of his Answer, 17th July 1822: Of Letter from the Committee to him, of 31st July 1822, and of his Answer of 7th August and 3d September 1822.

Sir,

General Penitentiary, 15th July 1822.

I AM directed to acquaint you, that the committee have communicated with the governor and matron, on the subject of the infirmary instructions suggested by you, and have also themselves taken them into consideration.

They are of opinion that most of them are provided for, in the more detailed instructions, which have been for some time in preparation, to the infirmary turnkeys, which are to be observed by the nurses, as far as applicable, and whereof I send you a proof copy, that the committee may have the benefit of any observations you may have to make on them, before being printed off.

There are some which are considered as likely to lead to inconvenience, such, for instance, as the change of dress, which, as many of the prisoners come up to the infirmaries for a very short time, seems to be unnecessarily troublesome, and the directions about washing, instead of being generally done, unless the surgeon should see fit to order it otherwise, should, in the opinion of the committee, be left to be ordered by the surgeon, in such instance in which he should think proper.

I am also directed to inquire what are the particular deviations from the rules, by the nurses, to which you allude in your letter.

I beg the favour of your returning to me the enclosed copy of the turnkeys' rules, with your remarks, if any, on or before Thursday morning.

I am, Sir, your most obedient servant,

A. C. Hutchison, M. D.
&c. &c. &c.

(signed) *Robert Auld, Secretary.*

Sir,

Leicester-square, 17th July 1822.

I BEG to acknowledge the receipt of your letter of the 15th instant, and in answer thereto have to request you will inform the committee, that when I submitted to them, on the 5th instant, the instructions I had drawn up for the nurses in the infirmaries, I was not aware they themselves had any such instructions in preparation; and, on looking over the copy with which you supplied me yesterday, I find that in several of them I have been anticipated by the committee; yet there are some of those suggested by me, and not noticed in the printed proof before me, to which I beg to call the particular attention of the committee; namely, the rule regarding a due supply of drinks for the sick; the making of beds and turning of mattresses; night caps changed twice a week; the interdicting patients from lying upon their beds with their clothes on; the proper airing of linen previous to use; and lastly, the washing and changing of dress in the bathing room, previous to the sick individual being taken into a ward.

In answer to that part of your letter, desiring me to state "what are the particular deviations from the rules, by the nurses," to which I allude in my letter of the 5th instant, I have to request you will be pleased to inform the committee, that I have very often found patients lying upon beds with their clothes on, a practice I had as often interdicted, for obvious reasons; that I have found patients sleeping in night caps they had brought up from their cells, and had worn a whole week, consequently very dirty; and lastly, the exceedingly filthy state I lately found a patient's legs and feet in, only a day or two prior to dissolution, and for which the nurse, I must say, felt the greatest shame and contrition, promising it should not occur again.

I am, Sir, your very obedient and very humble servant,

(signed)

A. Copland Hutchison,

Medical Superintendent.

Robert Auld, Esq.

Secretary to the General Penitentiary.

Sir,

General Penitentiary, 31st July 1822.

AT the last meeting of the committee, the matron having stated in her journal, that inconvenience attended your visits at the female infirmary in the evening, about the time the prisoners are preparing to go to bed; I was directed to mention the circumstance to you, and to request that you will have the goodness to endeavour, in your ordinary attendance, to make your visits, at such hour as may best suit you, before the time alluded to by the matron.

I am, Sir, your most obedient servant,

A. C. Hutchison, M.D.
&c. &c. &c.

(signed)

Robert Auld, Secretary.

Sir,

21, Leicester-square, 7th August 1822.

I HAVE received your letter of the 31st ultimo, requesting me to pay my ordinary professional visits to the female infirmary previous to the time the prisoners are preparing to go to bed, as the matron had stated in her journal, that such visits at that period were attended with some inconvenience.

I was not aware that those visits to the infirmary could possibly be attended with inconvenience; had the circumstance, however, been only named to me by the matron, I should immediately have attended to it. The chief objects I have in going in the evenings, are, that occasionally an individual patient requires my attention more at this period than at any other; and likewise that it gives me an opportunity of convincing myself, that the officers, who have charge of the sick, are performing their duty in a proper manner.

I beg, however, that you will communicate to the committee my readiness to comply with their request; and that, in future, my evening visits shall be half an hour earlier than the period complained of.

I am, Sir, your very obedient humble servant,

(signed)

A. Copland Hutchison,

Medical Superintendent.

R. Auld, Esq. Secretary,
&c. &c. &c.

3d September 1822.

P. S.—IN my monthly inspection of the prison and prisoners yesterday, I was beset by two or three parties, requesting that I would represent to the committee the inadequateness of the dietary as lately established, and which they said would be improved, if I were to do so; some of the principal officers having so informed them. I have therefore to request, (assuming the statement to be correct), that the committee will be pleased to direct these officers to refrain in future from such representations, as they ought to be aware I have no such power as that which they would ascribe to me.

(signed)

A. Copland Hutchison.

N° 6.

APPENDIX.
(E.)Copy Extract from Minutes of Committee of General Penitentiary, of 1st and 8th February 1823, and of Medical Officers Report on the case of *William Osband*.Extract from Minutes of the superintending Committee of the General Penitentiary.
1st February 1823.

THERE was read a letter from Mr. Hobhouse, of the Secretary of State's office, requiring to be furnished with a report of the surgeon, whether William Osband, (who was recommended by the committee on the 10th of December last, as an object of royal clemency) is in such a state that his life is likely to be affected by the continuance of his imprisonment.

There was at the same time submitted, a report by the medical officers on his case; which having been considered, it was

Resolved,—That the same be referred back to the medical officers, with a desire that they will confine their remarks entirely to the medical circumstances of the case.

N. B.—The report above alluded to, having been given back to the medical officers, and not returned by them, cannot be produced.

Extract from Minutes of the Superintending Committee of the General Penitentiary.
8th February 1823.

A Report from the medical officers, on the case of William Osband, submitted.

Resolved,—That the same be transmitted to Mr. Hobhouse, for the information of the Secretary of State, as requested by Mr. Hobhouse's letter of the 26th ult.

Copy of the Report on William Osband, referred to in the preceding Minute.

William Osband labours under great emaciation and general debility, apparently arising from mental depression; and it is our opinion, that his life is likely to be affected by the continuance of his imprisonment.

General Penitentiary,
3d February 1823.

(signed)

A. Copland Hutchison, M. D.
John Pratt, Surgeon.

N° 7.

Letter from the Committee of the General Penitentiary to Dr. Hutchison, 7th April 1823, and of his answer 12th April 1823, on the death of *Harriet Church*; with the report on her death.

Report on the death of Harriet Church.

She was removed to the infirmary on the 1st of February, complaining of violent headache, which continued at times to the 23d March, when she died.

Dr. Hutchison saw her from the commencement. She went off suddenly. On opening the head, we discovered an effusion of water, and the vessels of the head overcharged.

The coroner sat on the 25th March; verdict,—“Died by the visitation of God.” No observations were made either by the coroner or jury.

(signed)

J. Pratt, Surgeon.

Mr. Pratt must have made a mistake, with regard to a turgid state of the vessels of the brain, in this woman's case.

(signed)

A. Copland Hutchison.

The Honourable the Committee, &c.

Sir,

General Penitentiary, 7th April 1823.

I AM directed to inform you, that the committee having noticed the remark made by you at the foot of the report on the death of Harriet Church, from which it appears, that you do not concur with Mr. Pratt as to the appearance exhibited upon dissection, are surprized that you should not have expressed any opinion of your own upon the case; and they request that you will furnish them with your own observations, before the next meeting of the committee.

I am, Sir, your most obedient servant,

A. Copland Hutchison, M. D.
&c. &c.

(signed)

Rob. Auld, Secy.

Sir,

Spring-gardens, 12th April 1823.

I HAVE received your letter of the 7th instant, stating that you were “directed to inform me that the committee, having noticed the remark made by me at the foot of the report, upon the death of Harriet Church, from which it appeared that I did not concur with Mr. Pratt as to the appearances exhibited upon dissection; and further, that the committee were surprized that I should not have expressed any opinion of my own upon the case, and desiring that I would do so,” &c.

In

In answer, I beg you will acquaint the committee, that I dissected the brain of Harriet Church myself in the presence of Drs. Roget and Latham, and Messrs. White and Pratt; that in her case there were no marks of turgidity of vessels alluded to in Mr. Pratt's report; but, on the contrary, there was rather a natural appearance than otherwise, and particularly when compared with the appearances exhibited in Peter Mansfield's brain, which I examined on the same day. I merely mentioned, therefore, Mr. Pratt must have made a mistake.

As the dissection did not develop any particular change of structure, disorganization, or other morbid mark, to account for the very sudden manner of the poor woman's death, except a small quantity of water found in the ventricles, I can form no idea whatever of the case, nor can I offer even a probable conjecture as to the cause of her death, excepting it were the small quantity of water above alluded to.

I have the honour to be, Sir,
Your very obedient humble servant,
(signed) A. Copland Hutchison, M. D.

To R. Auld, Esq.

Secretary, &c.

Medical Superintendent.

P. S.—I request you will be pleased to take this opportunity of intimating to the committee, that it is my intention to make some remarks on the report of Drs. Latham and Roget, but which I fear I shall not be able to make so correctly as I could wish, unless the committee would grant me permission to have a copy of that document.

(signed) A. C. H.

N° 8.

DESCRIPTION of some of the Inferior Officers employed in the different parts of the Penitentiary, for the care and management of the Prisoners.

THE system of regulations in a prison, in which the prisoners are to be confined separately, by day as well as by night, during the first part of their imprisonment, and are then to be brought together in the day-time in small companies, where constant attention is to be paid to their religious instruction and moral habits, and in which the arrangements for these purposes are to be combined with profitable industry, must be in some respects a complicated one, and had never been tried upon a large scale before the establishment of the Penitentiary at Milbank. There are some prisons in this country, in which manufacture has been made productive, and a few where prisoners are kept in separate cells; but in the former, the discipline is far short of that contemplated in the Penitentiary; and in the latter, the attempt to make articles for sale has been attended with very little success, and has, in some instances, been discontinued.

I shall assume, for the present, that in the Penitentiary, discipline is the primary object, to preserve which, a much more strict attendance on the prisoners is necessary upon the part of their officers, than would be required with reference to manufacture. Prisoners may be employed to teach each other to work, or to examine each others work, but we must not intrust to prisoners the charge of controlling their fellow prisoners, or of superintending each others conduct.

To provide, therefore, for the proper management and inspection of the prisoners in the Penitentiary, a much larger establishment of officers has been formed than would be wanted for preventing their escape, or keeping them at work: each of the six pentagons, which compose the prison, has a distinct set of these officers; consisting of a task-master, or task-mistress, an assistant, and a number of turnkeys, equal to the subdivisions or wards of prisoners in the pentagons; each of the four pentagons, occupied by male prisoners, has also a machine keeper, or a miller, to attend to the prisoners of the first class, while employed in raising water or grinding corn for the use of the prison, there being either a water machine or a mill in every such pentagon, at which the prisoners of that description work daily, in different gangs or divisions; but the services of the last-mentioned officers are not required during the whole of the day in the pentagons to which they respectively belong.

The three infirmaries have separate officers, each of those occupied by male prisoners being in the charge of a turnkey, whose duties are confined to this portion of the prison, and that connected with pentagons 3 and 4, (the part of the prison allotted to females) being under the care of two nurses. The kitchens, which are also three in number, each serving two pentagons, are considered as belonging to the pentagons from which they respectively receive the gangs* of prisoners employed in them, who return to sleep in their own pentagons at night. The bake-house receives the prisoners employed in it from pentagon 5, and belongs to that pentagon.

The prisoners confined in each pentagon are distributed into a certain number of wards, each of which is under the care of a turnkey, specially appointed to take charge of it, and who

* It is the practice, instead of selecting a few prisoners from each of the two adjoining pentagons, for the purpose of forming a kitchen gang, to take all those employed in the same kitchen from the same pentagon, in order to prevent the kitchen from being made the channel of communication between the two pentagons.

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who ought not to leave his prisoners, from the time of ringing the first bell in the morning, until they are locked up for the night, except for his meals, or when he takes his wardsmen to the kitchen to receive the prisoners' food, or has occasion to go over to the tower, in which the task-master, (his immediate superior) resides, for orders, on some emergency; and even while he is at his meals his ward ought not to be altogether without inspection, for the task-master, or his assistant, (who do not take their meals at the same time with the turnkeys) should occasionally go round the pentagons at such times, and the wooden doors of the cells being then shut, the prisoners can never know that there may not be an officer in the passage listening to their conversation, if they attempt to talk from cell to cell, or observing their conduct in their cells through the inspection holes*. The turnkey has no concern with the prisoners of any ward but his own, nor ought he to pass beyond the task-master's tower during the hours of work; his communications with the chaplain and governor†, and with the officers of the master manufacturer, and the steward, being carried on through the task-master, to whom he makes his reports, and carries his demands for stores, and from whom he receives his directions, and such articles as are wanted, either for the use of the prisoners, (except food, which his wardsmen brings from the kitchen,) or for the purposes of manufacture. He is summoned to his meals at the proper hours, by a hand-bell rung by the task-master, who is also to take care that all the turnkeys return to their wards as soon as the time allowed for their meals is expired.

The task-master has an assistant, who supplies his place at the tower whenever he has occasion to be absent from it, either for the purpose of communicating with the superior officers in the hexagon, or of inspecting the different wards of his pentagon, within which he ought to spend a great portion of his time. The assistant was added to the establishment since its commencement, it being found, that every thing must fall into confusion if the tower were ever left without an officer. The rules do not define what part of the task-master's duty shall be performed by the task-master himself, and what by his assistant; but it is expressly directed, that one or other of these officers shall be always in the tower; in fact, the stores supplied by the steward are received by the assistant, and much of the writing in the different books kept at the tower is done by him.

The task-master receives a written report from each of the turnkeys, on the state of his particular ward, on the evening of each day, and reports himself to the governor the substance or material parts of such reports, with any other matter coming under his own observation, at ten o'clock the next morning, in his report book. In cases which appear to require the immediate interference of the governor, the taskmaster reports without delay; but still enters the circumstances reported on, in his report-book. He has no power to inflict punishment, but if on any emergency it shall appear to him to be expedient immediately to separate any prisoner from the rest, on account of an offence committed, or for any other cause, he may keep him in a cell by himself, (provided such cell be not a dark cell,) until the governor can examine into the circumstances of the case.

The task-masters of the two pentagons which are supplied from the same kitchen, attend it by turns, week about, when the dinners are delivered, for the purpose of seeing that the wardsmen of the two pentagons have no communication with each other, or with the prisoners in the kitchen, and that the provisions are of good quality, and properly served out; and although one of these task-masters has no connection with the kitchen at any other time, (the prisoners there being all taken from one or other of the two pentagons,) yet it is his duty to report to the governor, on all matters of importance which may occur there in his presence.

The task-masters' reports, in general, relate to the trifling repairs wanted in the different pentagons, or to the behaviour of the prisoners; the governor's orders for repairs are now given to the clerk of the works, but when the building shall be completed, they must be sent by him directly to the tradesmen employed by the committee. His orders respecting the prisoners are given to the task-master. When there were only two pentagons inhabited by male prisoners, the governor used to write his orders in the task-master's order book; but a third pentagon having been opened for males, and a fourth being in a state of forwardness, it was thought desirable to save the governor the trouble of writing such orders as might relate to all the pentagons, four times over, by directing, that all his orders for the four task-masters should be written in one book, with figures in the margin, specifying to what pentagon or pentagons every order was intended to apply; and that the task-master of each pentagon should copy out so much as might concern himself; as, however, the governor must sometimes find it convenient, particularly when prisoners are to be punished, to give his orders while he is going round the prison, it is directed, that in such cases he should enter the order himself in the task-master's book, and then write it again in his own general order book, for the purpose of preserving the whole record of his orders complete; and the rule now stands in that form.

The regular examination of the task-masters' reports, and a promptness in giving orders thereupon,

* In the 19th of the late King, it seems to have been intended, that when more than two prisoners should be employed together, an officer should be present to attend to them, see clause 33. This is certainly impracticable, but we approach as nearly as possible to that arrangement, if we order matters so that the prisoners shall be generally under inspection, and shall not know it, when they are not so.

† Of these four superior officers who reside in the hexagon, three are expected to go frequently round the prison, and may therefore be in constant communication with the turnkey; but the steward has no business in any pentagon nor in the kitchen, for the cook or turnkey of the kitchen is to act as a check upon the steward; and to take care, that the articles supplied by him are sufficient in quantity, and good in quality; and the less intercourse, therefore, he has with the steward himself, the better; he receives the provisions through the patrols.

thereupon, are among the most important parts, or I should rather say, form the most important part of the governor's duty. If the governor shall be absent from his office at the regular hour appointed for receiving the task-master's reports, they must leave their report-books in his office, and his opportunity of giving directions at once to the four officers who conduct the business of the four pentagons in the male prison, will not occur again in the course of the day; he will then have to seek out these officers in the several pentagons, and much time will be lost; and if directions shall not be promptly given, but the offences of prisoners reported for misconduct shall be left unnoticed for a day or two, it cannot be expected that the prison should be in good order.

The governor keeps a book, called "The Misconduct Book," in which every report made by a taskmaster, respecting the misbehaviour of prisoners, should be regularly entered, and in this book there is a column for the date of the report, with columns for the several proceedings consequent thereupon. If the misconduct book shall be correctly kept, it will show (among other things) whether the offences of prisoners have been punished as soon as possible after being reported; but if the entries in this book shall be imperfect, or inaccurate, it will only mislead the committee and the visitor, who must in that case examine the taskmasters' report books themselves, and compare them with their order books, to know what has been done.

While the prison is in good order, the reports concerning prisons being few, the governor's duty, as far as relates to them, will not be difficult, and attention and regularity will enable him to dispatch his current business with the taskmasters within a moderate time; but if the daily call of the taskmaster for directions be not duly answered, the prison will soon be in such a state as to take up a great deal of the governor's time, for slight irregularities on the part of the prisoners, not promptly punished, will be repeated, and will generate habits of contumacy and contempt for the inferior officers, which it may be found very difficult to subdue. The governor should not allow himself to be easily diverted from this routine business, nor permit any ordinary occurrence* to prevent his going, as soon as he has seen his taskmasters, to those parts of the prison in which his presence may be required by their reports.

It will tend much to maintain the discipline of the prison, if the governor shall make it a point to see every prisoner, who may be reported for any offence, in the presence of the taskmaster, and shall take every opportunity of giving him consequence among the prisoners. Even when the governor may not think it necessary to inflict punishment on the prisoner reported, or to act in conformity to the taskmaster's opinion, he should not appear before the prisoners to differ from him; and that officer should never on any account be left to learn from a prisoner, that the governor has forgiven his offence. The governor never can expect to have any of the pentagons in his part of the prison in good order, if he has not good taskmasters, and if he does not hold up the authority and importance of those officers very high among the other very inferior officers, as well as among the prisoners. For his knowledge of the state of the infirmaries, of what may be going on in the porter's lodge, and the patrol's room, and of the manner in which the patroles execute their night watches, the governor must depend entirely upon his own inspection and vigilance; but in regard to the proceedings within the pentagons, although he should by no means omit to go round them, and ought frequently to examine some of the cells of the prisoners, and converse with individual prisoners, and should occasionally observe their ways of going on, when they are passing to and from their court-yards, or are first let out in the morning, or are locked up for the night, by contriving to be present unexpectedly among them at such times, yet he must derive a great deal of his information from the taskmasters, and will require, in many cases, to be assisted by their judgment. In truth the governor should treat the taskmasters as sub-governors of their respective pentagons, and consider them as responsible to him for the conduct of the subordinate officers, and of the prisoners. It is not possible for the governor to become minutely acquainted, by his own personal observation, with the behaviour and disposition of 600 male prisoners, and more than 30 officers employed in managing them; but he should be able to observe the conduct of his four taskmasters, and to form a correct opinion of their capacity and integrity; and he should give them his confidence, if they are fit for their situations, and report them to the committee if negligent or incompetent, calling upon them to act in the same manner with respect to the officers under them.

The taskmaster, besides being charged with the duty of seeing that the governor's orders are executed, and of reporting to the governor from time to time on the state of his pentagon, is also the channel, through which all materials for manufacture, sent in by the master manufacturer, and all stores supplied by the steward, (except food, which is sent into the kitchen) are furnished to the turnkeys. Articles supplied by the master manufacturer are delivered by him in the rooms over the kitchens, to which rooms the taskmasters, of the two pentagons adjoining, can bring prisoners with their turnkeys if necessary, to carry away the articles into the different wards. The daily delivery is made at half past nine in the morning, between the end of the turnkeys breakfast, and the time at which the taskmaster

* I do not believe, that strangers often come with a secretary of state's order to see the prison before 12 o'clock at noon, by which time (and generally long before) the governor ought to have been to any part of the prison where his presence may have been required. If, however, a stranger should happen to come before the governor has dispatched his ordinary business, I think he should be authorized to desire the stranger to wait until all necessary directions had been given: perhaps after the prison shall be finished, and all occupied, and when it shall have been ascertained by what hour the governor will usually be at liberty, it may be proper to request the secretary of state to let it appear on the orders of admission, that they should not be used before that time, (say 12 o'clock).

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master is to carry his report to the governor. These articles, which are often heavy and bulky, should be carried to the spot at which the taskmaster is to receive them, over night, or early in the morning; and with a view to this arrangement, the demands made through the taskmaster are sent into the master manufacturer's office by five o'clock on the preceding day. If the articles wanted are not regularly demanded, and punctually delivered, great inconvenience must be felt in the prison; if articles shall be sent to the taskmaster's tower in the middle of the day, because they were not ready at the proper time and place, the taskmaster must be summoned from some other occupation, (probably some occupation within the prisoners wards) to receive them, and see them distributed, and great confusion will ensue; and if, for the purpose of gaining favour with any particular customer, we undertake to execute work in a hurry, and allow it to be sent in after the proper time for delivering it, and to be sent for back from the pentagon as soon as it shall be finished, out of the ordinary course, the arrangements connected with the discipline of the prison will be very much disturbed. It will not be possible for us to carry on a manufactory upon the common principles of manufacture. We must have the materials, which will be wanted in the course of the day, delivered to the taskmaster at the proper time and place, and the work must be regularly taken from the prisoners when completed, and regularly re-delivered to the master manufacturer; and if these peculiarities, which are occasioned by our officers having to inspect the conduct of our prisoners, as well as to supply them with work, operate in some degree to clog and impede the operations of manufacture, and lessen the value of the prisoners labour, we must submit to this diminution of our gains as the necessary result of our prison discipline. It cannot be expected, that our prisoners should be employed with as much pecuniary advantage as workmen whose moral conduct it is not necessary to watch, and who may be permitted to assist each other, and intermix without restraint.

The stores received at the taskmaster's tower from the steward, are demanded in writing, and delivered at the tower by the patroles. Here again it should be observed, that the delivery ought to be complete at the proper time; for if some of the articles required are sent at one time, and some at another, a great increase of trouble must be occasioned to all parties concerned; to the patroles, who carry the stores to the tower; and to the taskmaster or his assistant, who must make entries in their books of the receipt of the articles, and then re-issue them to the turnkeys. Irregularities in the steward's issues, can only arise from his not having a sufficient number of the articles wanted, in store, which must be his fault if he has not laid proper demands before the governor, and the* governor's, if he has not given orders for the stores to be procured, on their being duly demanded. To avoid the necessity of frequent demands upon the steward for articles in common use, the taskmaster is allowed to keep a few of each sort by him, for it would be obviously inconvenient, that he should be under the necessity of going or sending his assistant to the steward as often as a prisoner should break his knife, or his trencher, or discover a hole in his drinking cann.

The taskmaster of the pentagon is also in constant communication with the chaplain and the surgeon, upon the business of their respective departments. He receives from the former, and distributes, under his direction, to the turnkeys, bibles and other religious books, as well as pens, paper, &c. for the use of the schools, and for writing the prisoners letters. He also carries to the chaplain all letters written by prisoners to their friends, and receives† from him such letters sent in by their friends, as, having been first read by the governor, and afterwards by the chaplain, are thought fit to be communicated. He takes the chaplain's directions as to the manner in which the devotional exercises of the prisoners shall be performed, and generally as to all the arrangements connected with their religious or moral instruction, and he is particularly enjoined to communicate to the chaplain any desire expressed by a prisoner to see him, unless the turnkey to whose ward the prisoner belongs, shall have an early opportunity of mentioning the prisoner's request, while the chaplain shall be going round the prison.

He also communicates to the surgeon, when he is going round his pentagon, any information he may receive of a prisoner wishing to see him, or appearing out of health; executes all orders given by the surgeon in writing, for the removal of prisoners to the infirmary, receives prisoners back from the infirmary, and sees that any medicines sent to his tower by the surgeon, for the use of prisoners remaining in their cells in the pentagon, are delivered to the turnkeys of their respective wards‡.

The keepers of the machines for raising water in pentagons 1 and 2, and of the mills for grinding corn in 5 and 6, receive all the prisoners of the first class in each pentagon, from their turnkeys successively, in five gangs (wards D and E being each of them divided into two

* The steward and master manufacturer both attend the governor every morning with their demand books, and it is an important part of the governor's duty to give such orders as may be necessary from time to time, to insure a due supply of all articles wanted in the prison, at reasonable prices.

† The chaplain, however, sometimes delivers a letter to a prisoner in person, in a case in which he wishes to observe the effect produced by the receipt of it, or to communicate respecting it with the prisoner.

‡ It is said in the rules, that the surgeon shall direct the turnkey of the infirmary to remove the prisoner, when recovered, back into the prison, this turnkey, however, only delivers the prisoner to the taskmaster, to be conducted to his proper cell, for the turnkey of the infirmary is not to have access to the different wards of the pentagon. Prisoners are generally removed from the infirmary after dinner; perhaps the most convenient time for such removal will be found to be, as soon as the prisoners in the pentagon are locked up for the night; since, in many cases, there can be no work ready for the prisoner on his return to his cell, and it would be much better that he should continue for a few hours longer than may be necessary, in the infirmary, than that he should remain for the same number of hours idle in the prison.

two gangs, as being double the number of B) attend them while at work, and while walking two and two round the yard, to cool themselves, before their return to their cells, and re-deliver them to their respective turnkeys, who should always take the opportunity of their absence from their wards to inspect their several cells; it is very desirable that the cell of every prisoner should occasionally be examined by his turnkey, the prisoner himself not being present at such examination; and there is no time at which this can be done, in the wards occupied by the prisoners of the first class, except while they are removed from the turnkey's charge. The keepers of the machines, and millers, communicate any instance of misconduct on the part of the prisoners, while under their charge, to the turnkey of the ward to which the prisoners belong, to be entered in his report book, but they report circumstances connected with the state of their machines or mills, directly to the taskmasters of their respective pentagons, through whom they receive their orders and instructions while employed in the pentagons.

The arrangements for the regulation of the part of the Penitentiary, in which female prisoners are confined, are in general similar to those in the portion of the prison occupied by the males, the establishment of officers in the 3d and 4th pentagons being the same as in those already noticed, with the exception of the keepers of the machines, the millers and the baker, to which there are of course no officers corresponding among the females. In each of their pentagons there is a sixth ward, under a separate turnkey, called the laundry ward, the clothes of all the prisoners, both male and female, being washed and mended by the female prisoners; and it being necessary that there should always be a turnkey on duty in every ward, one supernumerary has been added to the establishment for these two pentagons, to fill the place of any officer of that description, who may be incapable of attending her ward from sickness or some other accidental cause, or who may leave the Penitentiary, before her successor shall be ready to take charge of her prisoners. In the other pentagons a patrol would be appointed to this duty, and the place of the patrol would be filled up by one of the labourers employed in the garden, or from the persons on the list of candidates for situations in the prison.

The taskmistresses are furnished with stores and materials for manufacture by the deputy matron, who is supplied with them from the office of the master manufacturer. They make their reports of the state of their respective pentagons to the matron, who herself reports daily to the governor (at half past nine in the forenoon) receiving his orders and instructions in writing, in regard to the punishment to be inflicted for offences committed within the prison, and on such other matters as require the exercise of his authority.

Bolton-street, January 1822.

G. H.

Nº 9.

REMARKS upon the Employment of the Prisoners in the PENITENTIARY.

THOUGH I do not profess to have any general knowledge upon the subject of manufacture, the consideration of the manner in which prisoners should be employed in the Penitentiary, is so intimately connected with every part of the system of management to be adopted in this prison, that I shall take the liberty of offering to the committee some remarks upon that head, which have been suggested by my own observation and experience in the prison, and which might not perhaps occur to persons who have not before had occasion to look at manufactures in connection with the other points which demand attention in this establishment.

It is obvious, that all work done by our first class prisoners, must be such as can be executed by a single person, in a cell of the dimensions of ten feet by six; and it is also true, (though this proposition may not be equally evident at first sight with the former), that the prisoners removed from the first class into the second, must in general* pursue the trades in which they were employed before their removal; not only would it be troublesome to put prisoners to a new trade on their advancement into the second class, but it would be inconvenient to carry on different trades in the two classes on another ground; it is often necessary, with a view to the discipline of the prison, to reduce, by way of punishment, to the first class, such prisoners of the second as may have been guilty of serious offences, or as shall set a bad example to their fellow prisoners, in which case it will not unfrequently be also necessary to bring forward a well-behaved prisoner of the first class to make room for the prisoner who is to be reduced; and great embarrassment may arise if the parties so to be interchanged shall be of different trades; if, for instance, one shall be a tailor or a shoemaker, and the other a weaver.

The difficulty, however, of employing prisoners, after their removal into the second class, in the same kind of work at which they have worked in the first, will be greater in proportion to the number of trades carried on by us; the more so, as we have other points to attend to besides the convenience of manufacture, and it may often be inconsistent with the

* I say "in general," because I am aware that it will be convenient to do some kinds of work in the prison, which can only be performed by the second class prisoners: such as carpenters work, turning, and glaziers work for the prison; and possibly some of the operations required for the preparation or completion of articles manufactured in one class, must be carried on in the other. The kitchen also, and bakehouse must be filled with prisoners of the second class, who could only work at trades before their promotion.

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the peace or security of the prison, or with the moral treatment of particular prisoners, to place in the same second class cell, or even in the same ward, those who might work together with most advantage, if the interests of manufacture only were concerned. All our prisoners must go, of course, after half the term of their imprisonment shall have expired, into the second class, if not sooner transferred thither by order of the committee; but as it might not be practicable to find room in the second class wards for every prisoner who must become entitled to such advancement, if we were to wait until such right of removal should have accrued, it has been usual, with a view to the convenience of the prison, as well as for the encouragement of good behaviour among the prisoners, to bring most of them into the second class, before their regular time of promotion arrived; upon every such transfer the committee has to advise with the chaplain and governor, as well as with the master manufacturer, and when the prisoner comes into the second class, it becomes the duty of the governor, (who, unless the committee has given some special order thereupon, directs in what ward and cell, in the same pentagon, the prisoner shall be placed), to consult the chaplain as well as the master manufacturer upon that head; but I am afraid it will not always be practicable to make such arrangements on these points as shall be satisfactory to all parties, and that we shall find it difficult to keep a due proportion of prisoners of each class conveniently employed in several different trades, unless considerations, connected with manufacture, be allowed to have more weight in the promotion of prisoners, and in determining the ward in which particular prisoners shall be placed, than they ought to have.

When the prison was first opened, the committee was desirous of availing itself of the assistance of such prisoners as were able to instruct others in any kind of work, and was also inclined, with a view to the advantage of the prisoners themselves, to employ them in those branches of manufacture in which they had respectively worked before they became prisoners, and might be likely to work again after they should have quitted the prison. Upon these principles we permitted a prisoner, who was skilled in making glass beads, to work at that trade, employing him at the same time to instruct two others. We set another prisoner to make tin cans for the use of the prison, and allowed his brother to have access to him, for the purpose of perfecting him in the manufacture of those articles, and we had at one time several cells filled with prisoners employed in making rugs, under the direction of a fellow prisoner, who was able to give instructions in that branch of manufacture. The blower of glass beads misbehaved, and was reduced to the first class, in consequence of which his scholars were necessarily put to other trades; the tinman's brother abused our confidence, and was of course excluded from the prison; the rug-maker was pardoned, and though sufficient knowledge of rug-making had been acquired in the prison to have enabled us to carry on that manufacture, we would no longer depend upon a relation of the pardoned prisoner, who had hitherto furnished us with work, for continuing to employ us. All these kinds of manufacture, as well as flax-breaking* (which was unprofitable, besides being liable to the objection of filling the prison with dirt and litter,) have been discontinued, and we now confine ourselves, with the exception of a few operations required for the use of the prison, to shoe-making, tailor's work and weaving, on each of which I will make some observations, in regard to the degree in which it appears to me to be an eligible branch of manufacture for the employment of prisoners in the Penitentiary.

The trade of shoe-making does not seem to be a desirable one for us to exercise beyond the making and mending of our own shoes. The shoe-makers knives are formidable instruments† to be placed in the hands of a large body of prisoners, and I once saw a prisoner break the bars of a cell window like glass with his lap-stone. The material of which shoes are composed is costly, and the work liable to be spoiled by a very slight degree of inattention or want of skill; one slip of the knife may occasion more loss in an instant than the prisoner's earnings during a whole week will compensate. It is moreover often very difficult to ascertain correctly, whether the imperfection in the shoe is owing to faulty leather, or to bad workmanship, and in the latter case, whether the workman has injured his work wilfully or by culpable negligence, and ought to pay for the injury, or has only erred from want of skill; and the moral effect of a wrong decision upon a point of this kind is very mischievous‡. Shoes are made in the Penitentiary for government with leather furnished to us for that purpose, and for some schools or charities with leather found by the establishment, (of work for individuals we do very little in this line.) In the former case, very great nicety must be observed to make the articles strictly conformable to pattern or instructions; and in the latter, much judgment is required on the part of the master manufacturer

* I watched the trial of three or four different kinds of machines for breaking flax in the prison, and of a very complicated machine for spinning it into thread, when broken and cleaned from the wood; (the operation of spinning by hand being wholly unproductive) but flax-breaking, besides being ineligible for the reasons mentioned above, is liable to this further objection, that the fibre of the flax when broken, and not steeped in water, retains all its glutinous matter, and the cloth made of the thread spun from it is apt to become loose in its texture, when the gluten is discharged by washing. The Irish, who understand the treatment of flax better than we do, universally condemn this mode of separating its fibre from the wood.

† This observation may seem to be equally applicable to carpenters tools, and to the carving knives in the kitchen; but these are in the hands of a few prisoners only, and those second class prisoners. I doubt, however, whether the carving knives in the kitchen ought not to be the subject of some arrangement—*qu.* might they not be fastened by slight chains to the table?

‡ In a common manufactory it is not so important for the master to ascertain whether work is spoiled by want of skill, or by negligence, for in either case he would probably take the same course and prevent the recurrence of such a question, as far as regards a particular workman, by turning him away; but we cannot do this in the Penitentiary: if such a question should occur repeatedly respecting the same individual, we must decide it as often as it shall arise.

manufacturer in the purchase of the leather. Somewhere or other there has been a great failure in the mode of conducting this branch of our manufacture. I am not prepared to state, to what cause our loss by shoe-making has been owing, but it must have amounted to some hundreds of pounds annually: I showed lately to the committee, that we put much too high a price upon the workmanship, but this alone will not account for the extent of the loss.

Tailor's work is done in the prison for government only, and the cloth is furnished to us in the piece; at first we employed hired journeymen to cut out all the articles required, of late some prisoners have been taught to perform this operation. but I believe a part of the cutting out is still done by persons hired for that purpose; this is an operation of great nicety, for, on the one hand our favour with our employer depends mainly upon our getting the greatest possible number of articles out of a given quantity of cloth, so that the allotment of a fractional part of an inch too much to a garment is a serious mistake, while on the other hand the slightest deficiency from the standard measure will inevitably occasion the rejection of the article, and throw upon us a heavy charge for the materials of which it is composed. The price allowed to us by government for making the military great coats is a very liberal one, and we must undoubtedly gain upon that article after putting a full value upon the earnings of the prisoner; but I suspect that we give credit to the prisoner for a larger sum for his workmanship in some other articles than the price paid to us for these articles will warrant.

The inconveniences attending this branch of our manufacture are, 1. The extreme nicety required in cutting out, as already mentioned, and the risk of loss consequent thereupon. 2. The bulk and weight* of some of the articles, particularly the great coats, the conveyance into a ward of the number of great coats which the prisoners of that ward can make up in a week (the distribution of them into the several cells, the collection and carriage of them to a different part of the prison for the purpose of being inspected, and their final delivery into the care of the master manufacturer, being attended with a great deal of trouble.) And, 3. The frequent occasion there is, in making these great coats, for the use of the tailor's goose, to press down the seams of the work, which renders it necessary, that a prisoner should be constantly running from cell to cell to wait on the other prisoners employed in this work, with that instrument made quite hot, and that he should have constant access to a fire for the purpose of heating it†. It is also a great objection to our making up army clothing on our present plan, that every garment is composed of materials of different kinds which are furnished from a quarter in which we can have no such control as to ensure a regular supply‡; sometimes the kersey for making great coats is sent in, unaccompanied by any materials for the lining or the pockets, or the Russia duck for trowsers comes in without buttons: one consequence of such deficiency in a part of the materials, is, that the garment is partly made, and then taken from the prisoner (it being liable to be damaged in the cell,) and then delivered out again some time afterwards to be completed. We evidently work to great disadvantage, if after a prisoner has half made a great coat, he is to begin a pair of trowsers, and then leaving them imperfect, is to go back to the coat, or perhaps take a third or fourth article in hand, before he can finish the first. The acts of giving out work and taking it back again, are attended with so much intercourse between prisoners, or take up so much of the time of our officers, that the having occasion to repeat these operations in respect to the same article, which would be only troublesome in a common manufactory, is in our prison a very serious inconvenience, being highly injurious to discipline. Another consequence of this mode of performing work is, that the earnings of the prisoners cannot be regularly§ entered in their weekly per centage books, or in our accounts, the price for making the garment being calculated on the complete article.

The making up army clothing is, however, at present, our principal manufacture. It employs female prisoners as well as males, and has, I believe, superseded most other kinds of work in their part of the prison. The other employment there consists chiefly of needle-work done for large shops, and of the manufacture of straw bonnets, but I believe few of these last-mentioned articles have been made by the prisoners for some time past.

Weaving

* A moderate workman will make six military great coats in a week, weighing between five and six pounds each, or about thirty-four pounds in the whole. A weaver will weave from fifty-six to sixty yards of linen cloth in the same time, weighing about fourteen pounds; the difference of twenty pounds in the weight of the work given out and taken back weekly, in the care of a single prisoner, is a very important consideration. If the prisoners of our first class ward, say thirty prisoners, are employed in making great coats, there is a weight of 30 by 34 making 1,020 lbs, (about half a ton of bulky articles) to be given out and taken back in one ward, and then to be carried to a different part of the prison to be inspected, and then to be taken to the master manufacturer's warehouse.

† In the first pentagon there is no provision for a fire in the middle story, except in the turnkeys rooms, to which, therefore, this prisoner has necessarily been admitted, but as this practice has been found very inconvenient, a stove for heating the goose has been contrived on the outside of the turnkeys rooms, in wards D and E, in the passages in the 5 and 6 pentagons; and I have taken the opportunity of the works now in progress in pentagon 2, to direct similar stoves to be placed in that pentagon.

‡ It is not my intention to assert, that we should do better by purchasing these materials ourselves; on the contrary, we should by that arrangement incur much greater inconveniences of another kind than any now experienced. I only mention the inconveniences attending our present system of carrying on tailors work, as circumstances to be taken into the account in comparing tailor's work with other branches of manufacture.

§ While I am writing I learn, that the amount of weekly earnings would, in each of the three male pentagons, have been materially different from that which now stands in the books for last week, if the work actually executed within the week could have been properly brought to account, but that the tailors could not finish their work for want of buttons; I also know that our accounts have, at times, been in arrear for months together, because we have not been able to learn the prices which government would allow for the work sent in.

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Weaving was introduced into the second pentagon a good while ago, on a very small scale, but when No. 1 was opened for the reception of male prisoners in 1820, the weavers were transferred to that pentagon, and we have now a second class ward of prisoners employed there in this branch of manufacture, besides a good many in pentagon 5, employed in the same kind of work. If this operation, viz. that of weaving, could be extended so as to become the principal employment of the prisoners, it would in my opinion be far preferable to any other kind of work. The materials to be sent in are not so large in quantity, where the cloth itself is to be made, as where it is only sent to be converted into articles for use: and the noise of the shuttle not only indicates to the turnkey that the prisoner is at work, but takes away the opportunity of talking from one cell to another or to a fellow prisoner of the second class in the same cell, or even of singing or whistling, for though the song may be no uncommon accompaniment to the hum of the spinning wheel, the clatter of a number of fly shuttles is sufficient to overpower the utmost exertion of the human voice, neither is any opportunity afforded to the weaver of embezzling a part of the materials with which he is intrusted; it is surprising to what an extent the practice of embezzlement has been carried among our shoemakers and tailors: in a search* at which I assisted two or three years ago, large stores of leather were discovered under the stone pavement in some of the cells, and many instances have since occurred of shoes made privately out of leather withheld from the portion of materials given out, while the tailors are constantly cabbaging to make themselves extra pockets, or bags, or some other trifling articles which are not allowed. The evil arising from these practices is not to be measured by the loss occasioned by them to the Penitentiary, or its employer, for every such act is a violation of honesty, and runs counter to the endeavours used in the prison to renew the moral character of the prisoner. I doubt whether there would be room enough in the prison to make all the prisoners weavers; in a first class ward every prisoner may have a loom in his cell, but I am not quite sure that a whole second class ward fitted up with looms and machines for winding thread would contain its full complement of prisoners, the space allotted to the working cells of the second class on the ground floor being less by eight windows, than that occupied by their night cells on the top story†: one cell moreover being required in each of these wards by the turnkey, as a place of deposit for stores and materials; but if one cell, or two at most, were appropriated to tailors or hammock makers in a second class ward, the rest of the prisoners in that ward would find room enough in the remaining cells as weavers and winders.

I am inclined to think, however, after a good deal of consideration, that it will not be advisable to attempt to do any thing in the manufacture of woollen articles, (unless perhaps in weaving serge for our own use;) some of the processes to which woollen cloth is subjected, are of too nice a nature to be intrusted to prisoners; and some, if I am not misinformed, must be continued for more hours, without stopping the work, than will be found in a prisoner's day, which cannot well be prolonged beyond the hour for locking up, and must not, at all events, exceed a certain number of hours.

Nor do I mean to recommend the manufacture of the finer kind of linen cloth, though linen of any texture might be made in the prison with much less difficulty than would attend the manufacture of woollens. There is indeed no absolute want of power to complete linen of any quality in the Penitentiary; linen requires nothing to be done to it after it is taken out of the loom but bleaching and beetling; now arrangements might certainly be made for exposing the cloth to the sun and the air within our walls, and an engine might be contrived to turn by hand, and to operate on the cloth by pressure, with rollers like a mangle‡.

In my judgment, the best employment for the prisoners in the Penitentiary, will be found in the manufacture of common and coarse articles, in which the value of the materials shall bear a small proportion to that of the workmanship, and which requiring but little skill to make them, will not render much instruction necessary; our object is, to employ all our prisoners, and to reward industry rather than ingenuity; and the less assistance our prisoners have occasion to receive, either from their officers or from one another, the better.

A most important question, however, in considering the expediency of extending our concerns in weaving is, how the articles woven are to be disposed of. When I have asked why we have yet made nothing for sale, or at least sold nothing, I have been told, that after we shall have manufactured what we want for our own consumption, we must only work for orders. I understand an order has been lately obtained for a considerable quantity of work, and that we are in hopes of procuring more orders when this is completed, it being considered as too hazardous a mode of carrying on our business, to make articles for sale at

* The information, upon which this search was undertaken, was contained in a paper addressed to me by one of the worst prisoners within our walls, a circumstance which I mention for the purpose of remarking, that it must not be taken as an axiom in the Penitentiary, that intelligence given by an individual, whose word would not deserve credit in proof of guilt, ought therefore to be wholly disregarded. If we mean to know what is going on among the prisoners, we must follow up much, that we are not prepared to believe, as a clue to further discovery.

† From three of the eight second class wards, however, six or seven prisoners are to be deducted in considering the question of space in the working cells, the bakers and the two sets of cooks remaining in the bake-house and their respective kitchens in the day time. A few feet also are gained in a second class ward by the absence of some of the partition walls which divide the cells in the upper stories.

‡ Linen even of the finest quality requires much less to be done to it after it leaves the loom than is commonly imagined. I have now in use at my house in the country a damask table-cloth and napkins, which were purchased last summer in a brown state out of the loom in Ireland: they have undergone no further process than that of being occasionally laid out upon the grass in the day-time, and of being washed and mangled, and they are nevertheless so white, that an ordinary eye would not observe any difference between them and other damask.

at our own risk. I come now to a part of the subject, upon which I possess neither knowledge nor experience, and where I must, therefore, find my way as well as I can. It may be true, for any thing I know, that we cannot prudently manufacture goods without some previous agreement as to the manner in which they are to be disposed of; but, in that case, I feel confident that we ought to work for government, and not for orders from individuals. If we deal with government, we are at all events sure of our money, and all the risk we incur, if we buy in our materials at a fair price, is the chance of a fall in the market, between the day of our purchase and the time of the sale to government; but the chances of rise and fall during that interval are equal; the fluctuations of the market are likely to operate in our favour as often as against us, and if we supply a certain quantity of any article regularly, the gain and loss, in a given period of any length, will most probably counterbalance each other; if we work for orders from individuals, we must expect at one time to have many orders pouring in upon us, and at another to have few, or none to keep us going; in such cases, the conductor of an ordinary manufactory, accommodates, I presume, the strength he employs to the extent of the demand upon him for exertion; when trade is brisk, and he is pressed for work in a hurry, he takes on additional hands, or employs those commonly in his service, night and day; when there is little doing in the articles which he manufactures, he either reduces the number of his workmen, or employs them fewer hours in the day, or fewer days in the week; but what are we, the managers of a prison, to do in these emergencies? We have no power of suiting our labour to the occasional demand for it; we can neither add to, nor diminish the number of our prisoners, nor can we task their exertions beyond their ordinary rate of work, nor shorten their hours of employment; our motions can neither be accelerated upon any demand for increased activity, nor suspended during a temporary stagnation of trade. Whatever variation shall take place in our strength, will be wholly independent of the state of the markets, or the number of orders we may have received, and we may be deprived of the use of our best workmen, (in consequence of the expiration of their term of imprisonment, or by their becoming entitled through merit* to pardon, or being under punishment for misconduct,) when we have most occasion for their services. The order which would best suit the Penitentiary, would be an order from government, to supply a certain quantity of goods annually, or at stated times, at prices to be fixed with some reference to the price either of the raw material, or of the manufactured article in the market; and I cannot see that such an arrangement would be attended with any loss or inconvenience to government. I am much mistaken, if it would not be better for us, all circumstances considered, to work for government at any price they will give us, than to depend upon individuals for employment; since, if government should at any time give us less than we expected for our goods, we shall have lost nothing but a portion of our earnings; whereas, if we depend upon orders, and orders should not come in, we may not immediately be prepared with other employment, and in that case the prison must be in a state of confusion and disturbance.

The practical conclusion, which appears to me to result from the foregoing statements and remarks, is, that we should employ our male prisoners to most advantage with reference to the various points and considerations adverted to above, if we were to make them all weavers† of some one coarse article used by government in large quantities, such as sacking, coarse sheeting, or sail cloth, keeping only as many tailors and shoe-makers at work as might be necessary to make and mend for ourselves. If government could not engage to take the whole of the manufactured article off our hands, I own I do not see why we should be afraid of taking the chance of the market for a part of it, provided it be a coarse article in common use; and provided also, that we do not over-value our labour in the prison: if we had only yarn of one quality to purchase as the material for our manufacture, we should of course be able to make arrangements for procuring it quite as cheap as it could be got by others, if not cheaper, for requiring a large and regular supply, and being certain pay-masters, we should be very eligible customers. If, however, the produce of the work of all the male prisoners, in any one article, should be thought too great to be either taken by government, or sold on our own account, without loss, (which, however, I do not believe would be the case,) I would then propose, that at least all the prisoners in the same pentagon should weave the same article. I am satisfied, that such an arrangement would introduce a much greater degree of order and regularity into the prison than can prevail there while the manufactures are on their present footing; the duties of the task-master would be much less complicated than they now are, if he had only one trade to superintend, and if he had no other implements and materials than those used in weaving, to hand over from the master manufacturer to the turnkeys, and nothing but the produce of that manufacture to return to him, instead of having, in addition to these articles, a variety of other articles and stores to pass backwards and forwards, between the master manufacturer's office and the pentagon, all of which must be regularly entered in his accounts. If the same kind of work were done all through the pentagon, each turnkey would be competent to

* There is this difference between a manufactory and a penitentiary, which should never be lost sight of, viz. that those who work in the latter are discharged for the very reason which would ensure their continuance in the former; and *vice versa*, the bad workman, whom the manufacturer would get rid of, must remain in the Penitentiary till his term of imprisonment shall have expired.

† This plan could not be extended to the females; the second class wards, in their part of the prison, not being sufficiently spacious to hold looms enough; besides which, a woman, as we know by experience, is not able to put the warp into the loom without assistance from a man; but if the article woven by the males should be such as to require beetling, a mill for that purpose to be turned by the female first class prisoners in each pentagon under similar regulations to those adopted for the water-machines and flour-mills in the pentagons, would be a great improvement in that part of the prison.

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to the management of any of the wards in it; and in the event of the sickness or sudden dismissal of a turnkey, in which case we are obliged to put a patrol in charge of his ward, who in general knows nothing of the manufacture carried on there, the turnkey of the next ward would be able to assist, and give any instruction that might be required; whereas, according to our present arrangements, a ward suddenly deprived of its turnkey, may be thrown into great confusion. We should also, by putting all those of our prisoners who have an opportunity of communicating with each other, upon the same footing, avoid the frequent applications made to us to let prisoners go from one trade to another, and get rid of all the complaints and heart-burnings occasioned by one prisoner having lighter or more profitable work than his neighbour in the same trade, which he seldom fails to attribute to partiality in the turnkey, or in some fellow-prisoner intrusted to give out the work, a charge not always without foundation.

If we could employ all the male prisoners, who should work for customers out of doors, in one branch of manufacture, we should very much simplify the proceedings in the master manufacturer's office, the concerns of whose department are growing much too complicated and extensive. The most difficult part of the master manufacturer's business has of late been carried on by the visitor. Mr. ——— has settled all the arrangements respecting the work done for government, and the order, which has been procured from Manchester for a large quantity of weaving, was obtained by him. He has also given a good deal of instruction as to the manner in which work is to be performed, both to officers and prisoners: but the department of the master manufacturer must be placed upon such a footing, as that he shall be able to carry it on himself; and we must recollect, that neither Mr. White, nor any other person who may fill his situation, can possess the advantages enjoyed by Mr. ——— who, in addition to a long and intimate acquaintance with the business of a general merchant, has very extensive connexions, and great personal consequence and influence in the commercial line.

When Mr. ——— ceases to be visitor, his successor will probably find the care of the discipline of the prison enough to occupy the portion of his attention which he can bestow on the Penitentiary, and a sub-committee must be appointed to watch over the commercial part of our concerns. Of this committee it will be proper that the visitor for the time being should always be a member, that he and that body may not pull different ways; but the other members should be expected to take upon them the greater share of the trouble imposed. This measure has more than once been mentioned, and the adoption of it was prevented, before the late change in the committee, by the want of acting members in the old committee to execute such delegation, rather than by any doubt concerning the propriety of such an arrangement.

It will also be necessary for the committee to furnish the master manufacturer with more precise directions respecting the manner of framing that valuation of the prisoners' earnings, upon which the per-centage is calculated, than those under which he now acts. The work of the prisoners is, by the rules, to be appraised in the first instance by the task-masters, but their appraisements are to be reviewed, and if necessary, corrected by the master manufacturer, from whom they receive instructions in all points connected with manufacture. It has often been said, and is now taken for granted in all questions on this head, "that we do not require any profit upon our manufacture," but that, after deducting a sufficient sum from the price received for the article made, or the workmanship performed, to cover all those expenses incurred in any particular manufacture, which come under the description of "charges of trade," (including of course the cost of materials, where materials are found by us) we may put down the remainder as the earnings of the prisoner, and give per-centage upon it accordingly. I concur in this position if considered merely as a general principle to guide the discretion of the person appraising, but I should by no means assent to it, if meant as a precise rule to be acted upon in every particular instance; for in that case, 1. No valuation could ever be made, or per-centage entered in the prisoners' books, until we could ascertain the exact sum to be received for the article, or the work, which would be very inconvenient. 2. Very different values would be put upon the work of different prisoners, owing to circumstances by which the prisoners ought not to be affected; for instance, a prisoner employed in the manufacture of shoes, or clothes, or sheets, &c. made for the establishment, and taken at a retail price, would have a much higher value put upon his work than he who should be employed on similar articles to be sent out of the prison to a wholesale customer; and this has actually been the case. 3. The valuation of every kind of work would constantly vary with the fluctuations of prices in the market. Instead of saying that we do not require profit, we should lay down a more correct basis for our valuations, if we were to say, "that we do not mean to incur loss," but must fix such a value on the prisoners' work as we have reason to think we can afford; from which it will follow, (as these matters cannot be reduced to a certainty, and it would be very inconvenient to be frequently altering our rates of value,) that we ought to estimate the earnings of the prisoners at something under the sum, which, added to that taken for charges of trade, would make up the price we expect to receive. It has, indeed, been suggested, as a measure which would place all our prisoners employed in manufacture, as nearly as possible, upon the same footing, and thereby prevent discontent in the prison, that we might value the work in one trade, which is less productive, at a higher rate than the article would bear, provided we under-rated the earnings in a more lucrative trade, so as upon the whole to keep the aggregate of the earnings at the sum which the whole of the work done would justify; but I suspect that the effect of this measure would be to occasion discontent rather than to prevent it; we should not easily convince the prisoners of the reasonableness

reasonableness of thus averaging their labour; nor can I, (to confess the truth) myself, see the justice of such a proceeding. The easiest way of placing all our prisoners, who should be equally industrious, upon the same footing, would be to employ them all in the same branch of manufacture, and it seems to me to be an additional argument in favour of so doing, that it would have that effect.

I am not aware of any objection to this proposal, except its having a tendency to diminish the amount of the prisoners' earnings, which would probably be somewhat greater in the different branches of manufacture, in which they are now engaged, than if they were all employed on one coarse article. Upon this subject we must make up our minds to speak plainly, as to the principles upon which the management of the Penitentiary is to be regulated. I do not hesitate to state it as my opinion, that if the desire of profit is to be suffered to operate without control in the prison, it will soon swallow up all consideration of discipline and religious instruction. The prison will not in that case answer the expectations of the public; and we, who manage it, shall justly incur the reproach (to use the words of an old saying,) of being, penny wise and pound foolish, if, after the erection of an expensive building, for the avowed purpose of confining offenders in a manner likely to produce their amendment, and the formation of a large and costly establishment of officers in furtherance of that object, we shall now depart from this view of the subject, and shall found our schemes for the employment of the prisoners upon a different principle, for the sake of saving a few hundred pounds in their annual cost, by making their labour more productive to that extent, than it would be under arrangements framed in the spirit of the original design of the Penitentiary.

Bolton-street, Jan. 1822.

G. H.

N^o 10.

EXTRACT from the Infirmary Turnkey's Report Book, Pentagon N^o 1.

1823: May 28.—*Charles Thompson* (with several others) reported to the Governor, by order of Mr. Pratt, "for talking to each other while in their respective cells at night, contrary to the regulations of the establishment."

[Mr. HOLFORD delivered in the above paper, and stated—"It has been found to be necessary to check, as much as possible, the practice therein alluded to, not only for the preservation of the good order and discipline of the institution, but for the sake of the sick prisoners, whose rest would be disturbed by it."]

N^o 11.

REPORT of the Physicians on the state of the General Penitentiary at Milbank, 5th April 1823; as ordered by The House of Commons, to be printed, 10th April 1823, N^o 256.

To the Committee of the General Penitentiary at Milbank.

Gentlemen,

IN conformity with the instructions conveyed to us, in your resolution of the 28th of February last, we have visited the Penitentiary daily, since the 1st of March; we have carefully and repeatedly examined, at different times, the state of health of each individual prisoner; we have taken constant charge of the sick in the infirmaries; we have communicated continually with your medical officers, Mr. Hutchison and Mr. Pratt, and frequently with the other officers of the establishment; we have made whatever inquiries seemed requisite to obtain correct information concerning the nature and extent, and the origin and progress of the disease lately prevalent in the Penitentiary, the causes which probably contributed to its production, and the means most expedient for its cure, and most likely to prevent its recurrence; and we have agreed upon the following Report:—

FROM the testimony of the officers of the establishment, and particularly of the matron, it appears, that during the last autumn the general health of the prisoners began visibly to decline. They became pale and languid, and thin and feeble. Those employed in tasks requiring much bodily exertion, were unequal to the same quantity of work as formerly. Those at the mill could grind less corn; those at the pump could raise less water. From time to time several of the laundry women fainted under their work; and the business of the laundry could only be carried on by continually changing the hands engaged in it. Such was the general state of the prisoners throughout the winter. State of the Prison during the winter;

Still, notwithstanding this remarkable depression of the general health, there appeared among them no manifest signs of any peculiar disease. The number of sick received into the infirmaries, did not much exceed the proportion which, in the winters of former years, it had borne to the total number of prisoners; and their disorders were those commonly incident to cold weather. It was not until the beginning of February, that any marks of

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scurvy were reported by Mr. Hutchison, as having been noticed by him on a few individuals in the infirmaries. And here it may be observed, that these marks are, at their first appearance, peculiarly apt to escape discovery, unless the attention be particularly directed towards them; and that they often exist for a long time, entirely unnoticed by the patient himself. Between the fourteenth of February and the first of March, no less than forty-eight prisoners came into the infirmaries, affected chiefly with diarrhœa and dysentery. The diarrhœa and dysentery were of a peculiar kind, and were suspected to have a connexion with the scorbutic disease. At this time, also, all these various affections were found spreading extensively, but in different degrees of severity, throughout the prison.

and during the first week in March.

On the 28th of February our assistance was called for; and having learned the facts already detailed, we began our examination of the prison and the infirmaries on the 1st of March. We found the prevailing disease to be the same with that which is known by the name of *sea scurvy*, and which is characterized by livid spots, or blotches of the skin, especially on the lower extremities. Conjoined with the scurvy, in almost every case, there was diarrhœa or dysentery. There were, indeed, a few instances of scurvy without disorder of the bowels; and moreover, numerous instances occurred of diarrhœa and dysentery, where no marks of scurvy had appeared. But still, whether the scurvy subsisted alone, or the diarrhœa or dysentery subsisted alone, or whether they were conjoined in the same individuals, there was found in all those who suffered from either, or from both, the same constitutional derangement, denoted by a sallow countenance, an impaired digestion, diminished muscular strength, a feeble circulation, various degrees of nervous affection, as tremors, cramps, or spasms, and various degrees of mental despondency.

Nature of the prevailing Disease.

These facts seem to lead directly to the belief, that the diarrhœa and dysentery and scurvy, had their origin in the same morbid state of the constitution. In this belief we were more and more confirmed by further observation; and we soon had the means of determining with certainty, that they, in reality, constituted one and the same disease. We examined, by dissection, the bodies of two prisoners who died dysenteric, and found, in various parts of the intestines, the morbid appearances called, in medical language, *ecchymoses*; that is, spots of the same kind as those which on the skin constitute scurvy. We found, in fact, an absolute scurvy of the bowels, of which the diarrhœa or dysentery was only a symptom and consequence.

Its extent.

With regard to the extent of this disease, we found more than one-half of the whole number of prisoners affected by it, in one or other, or in all its forms; but the proportion was not the same among the prisoners of different sexes, or belonging to different classes. The women were affected much more extensively than the men; and of both men and women, the second class, which is composed of those who have been longest in confinement, was affected in a much larger proportion than the first class, which comprises those who have been more recently imprisoned. Of the women, about two-thirds were ill of the disease; of the men, rather less than one-half. Of the women in the first class, one-half were ill: of those in the second class, five-sevenths. Of the men in the first class, above one-third were ill: of those in the second class, rather more than one-half. The exact numbers are stated in the Table subjoined to this Report.

Peculiar Exemptions from the Disease.

Some striking exemptions require to be noticed. Of the 24 prisoners employed in the kitchens (13 men and 11 women) belonging to the class which had suffered most extensively, all were free from the disease excepting three, one woman and two men. These three had been promoted to the kitchen within four days. It is proper to add, that the officers and servants of the establishment, together with their families, residing within the walls of the prison, and amounting to 106 individuals, were universally exempt from the disease.

Rise and Progress of the Disease.

We took some pains to ascertain the period at which the disease in question might be considered as having commenced, and the gradations by which it had reached its present extent and aggravation. It appeared reasonable to assume, that whenever upon the feeble and drooping condition observed among the prisoners throughout the winter, diarrhœa or dysentery, or scurvy supervened, then the disease was fully constituted. With respect to the scurvy, it was scarcely possible to assign the exact time at which it commenced, on account of the insidious mode of its attack, and the facility with which it may elude observation on its first appearance. But we have fully satisfied ourselves, that there existed among the female prisoners, a few cases of decided scurvy as early as the month of November. Among the men we cannot trace any instance of scurvy, back to a remoter period than two months. It is certain, however, that it was not until after Christmas that the scurvy had spread very extensively among either sex. About the middle of January, the instances had become numerous among the women; and among the men, about the middle of February; and it continued to increase progressively in both sexes, until the first week in March.

The diarrhœa and dysentery appear, in their origin and progress, to have kept pace with the scorbutic symptoms. Upon inquiry among the prisoners, we found that some of them had been occasionally suffering from diarrhœa before Christmas; but the instances being few, and the cases yielding readily to common remedies, they did not excite any alarm, and were naturally imputed to accidental causes. Under ordinary circumstances, such a conclusion might have been fairly admitted: but considering what the general health of the prisoners then was, and with our knowledge of what has since occurred, we cannot but suspect that

that in some of these instances, the diarrhœa belonged to the same disease, of which it has since been found to constitute the principal and most formidable symptom.

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In the course of January, the instances of diarrhœa were too numerous to be attributable to common or accidental causes. But, even then, it had not become matter of general complaint, for it was not attended with much pain, and in most of the sufferers it continued for a short period only, and then ceased: but it renewed its attacks from time to time on the same individual, gradually, though insensibly, impairing his strength. In this manner, through the month of January, many of the prisoners were sustaining a severe injury to their constitution, without being conscious of more than an accidental ailment, and without applying for relief.

Increasing daily in extent and severity, it at length became matter of complaint; and at the latter end of February, diarrhœa and dysentery constituted a large proportion of the cases in the infirmaries. Three deaths from this disease, occurred between the 14th of February and the 1st of March, the day on which we made our first examination of the prison and the infirmaries. In the prison, the disease had reached the extent already mentioned; and in the infirmaries there were 64 patients labouring under the disease, in one or other of its forms.

In inquiring into the causes of the disease in question, we think it right to state our persuasion, that the situation of the prison has not contributed to its production. First, because, if this had been the case, it is reasonable to suppose that the same disease would have occurred in former years; whereas it has never appeared until the present winter. Secondly, had this been the case, the officers of the prison, being equally obnoxious with the prisoners to any injurious influence of situation, could not have been universally exempt, as it appears they have been, from the same disease. Thirdly, because, if the situation of the prison be injurious, it must be presumed to be so in consequence of marsh miasmata arising in its neighbourhood; yet since its establishment, the prison has been altogether free from those diseases which marsh miasmata confessedly engender. Fourthly, because, marsh miasmata always arise during the hot, and never during the cold seasons of the year; and the diseases which they engender belong to the same seasons. Lastly, because, although scurvy and dysentery have undoubtedly been found prevalent in marshy districts, yet when marsh miasmata have produced them, they have been associated with intermittent fevers, and have occurred only at the hot seasons of the year. It may possibly be suspected that the simple dampness of the situation may have contributed something to the disease. But we can state with confidence, that every part of the prison is singularly dry; and that in no cell or passage, on no floor or ceiling, or wall of the prison, have we found the smallest stain or appearance of moisture.

Inquiry into the cause
of the Disease.

Its independence of
the situation of the
Prison.

Several circumstances respecting the disease in question, which have been already mentioned, seemed to limit the causes of its production to such as could have had their operation exclusively upon the prisoners, and especially at the present season, and now for the first time. One such cause is found, we conceive, in the diet of the prison. During the last eight months the diet was different from what it had been ever since its establishment. The change which took place in July last, reduced the animal part of the diet almost to nothing. In a soup made of pease or barley, ox heads were boiled, in the proportion of one ox head to 100 male, and one to 120 female prisoners: and we found upon inquiry, that the meat of one ox head weighed, upon an average, eight pounds, which, being divided among a hundred, allows only an ounce and a quarter for each prisoner. This new diet had been continued until the present time; and to it we mainly ascribe the production of the disease in question.

Influence of Diet in
its production.

It does, nevertheless, appear to us, that the diet of the prison has not itself alone been productive of the disease, but that it required the concurrence of other causes, of which the severity of the winter was probably the chief. The origin of the disease has been traced to the commencement of the cold weather, and its progress and increase have kept pace with it. There are, moreover, two circumstances which confirm us in the belief, that diet and cold have been concurrent causes. The sufferers were most numerous in that class of prisoners which were most exposed to the influence of cold, from the lower temperature of the cells in which they pass the night: showing, that where both causes most conspicuously concurred, the disease was most extensively produced. Yet those individuals of that class who, sleeping in the same cells and exposed to the same low temperature by night, were employed in the kitchen by day, and had access to richer diet, were universally exempt: showing, that where one cause was withdrawn, the other was of itself inadequate to produce the disease.

Influence of Cold.

Such being the character and extent of the disease in the Penitentiary, and such its most probable causes, we proceeded to adopt those measures for counteracting it, which its own nature and the opinion we entertained of its origin seemed to suggest. We ordered an immediate change in the diet of the prison. In place of pease and barley soup for dinner we substituted a daily allowance of four ounces of flesh meat, and eight ounces of rice daily for each prisoner, and white bread instead of brown: and, as the cheapest and the best antiscorbutic article of diet which could be procured at this season of the year, we ordered three oranges for every prisoner daily, one at each meal.

Means employed to
counteract the Dis-
ease.

It is unnecessary to detail the methods of medical treatment employed in the infirmaries. On our examinations of the prison between the 12th and the 19th of March, we found the general aspect of the prisoners visibly improved. The taskmasters informed us, that they

Gradual Decline
of the Disease.

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were more cheerful, and did more work; and particularly that those employed at the mill could grind one-third more flour. The scorbutic marks had, in almost every case, begun to decline, and in many of the slighter cases had absolutely disappeared.

On our general surveys of the prison between the 31st of March and the 4th of April, we could not find more than fifty individuals of both sexes, on whom any marks of scurvy remained; and on the greater number of these, they were so slight as hardly to be detected.

The diarrhœa and dysentery have, upon the whole, kept pace in their decline with the gradual disappearance of the scorbutic spots. On each of our examinations of the prison, we found them relieved or cured nearly in the same proportion; and, on our last examination, there were not remaining so many as twenty cases of bowel complaints in the whole prison.

State of the Infirmaries.

It is proper to remark that the diarrhœa and dysentery, being the most formidable part of the disease, was that for which medical treatment was especially required. Therefore, of the prisoners thus affected, we have constantly received as many into the infirmaries as there was room to accommodate, whether their cases were severe or slight. At the period when, as we have stated, the disease was upon the decline, that is, during the last weeks of March, it will be observed that there was a greater number of prisoners in the infirmaries than at the period when the disease in all its forms was at its greatest aggravation and extent, that is, during the first week in March. The truth is, that when we began our attendance, we found only the severer cases of bowel complaints in the infirmaries: but as soon as we had learned by the dissection of two patients who died dysenteric, that the disease tended to produce irreparable organic mischief of the intestines, we thought it right to bring as many cases as possible under strict medical treatment: and moreover, as soon as we had learned in the course of our observations, the great liability of the diarrhœa and dysentery to return, we thought it right to use the greatest possible vigilance over particular cases, during the period of their convalescence. Hence many, in whom we most strongly suspected this proneness to relapse, were still kept in the infirmaries, after the actual symptoms of their disease had disappeared; and a convalescent ward, in addition to the ordinary accommodation of the infirmaries, was opened for their benefit. These are the circumstances that are to be borne in mind, in order to reconcile the apparent inconsistency of the number in the infirmaries being greater, at the very time when the disease in the prison was daily and rapidly declining.

From the 1st of March to the present day, 222 patients have been admitted into the infirmaries, making, with the 110 already there, a total of 332 patients. Of these, eleven have died, six of dysentery, and the remaining five of diseases unconnected with the present disease. At present, the total number of patients in the infirmaries is 101, namely, 64 women and 37 men. Of this number we consider that 36 are convalescent, and exhibit no symptom of disease; and they are retained in the infirmaries only by way of precaution against relapse: 19 only are still suffering the symptoms of the disease; and 46 are affected with other complaints.

Suggestions with regard to Diet.

It remains for us to fulfil the wishes of the Committee, by suggesting to them some considerations respecting Diet. With regard to the diet of prisoners undergoing punishment for crimes, we presume the object to be, that they should have enough for nourishment and health, and nothing more. How much, and what quality of food will actually suffice for this purpose, can be deduced only from numerous and careful experiments. But no such experiments, as far as we know, have ever been made. There are certainly none upon record, to which we can refer for information. We beg, therefore, that the observations we venture to make, and the recommendations we offer, respecting Diet, may be accepted as the result of the best consideration we can give to the subject, in the absence of positive experiments.

Practically, the main question seems to be, Can animal food be safely excluded from prisons, and particularly from the Penitentiary? We are aware that a large portion of the labouring agricultural population of this country subsists altogether upon vegetable food, and is generally reputed vigorous and healthy; and we admit the justice of the inference, that an exclusively vegetable diet is *generally* wholesome; and we allow, moreover, that to submit those confined in prisons to such a diet, is a justifiable experiment. But still it is merely an experiment; and considering that every circumstance of the present condition and previous habits of those imprisoned for felonious crimes, is as different as possible from the simple condition and simple habits of an agricultural population, we should not be surprized to find that the experiment generally failed. At the Penitentiary there are, we conceive, peculiar obstacles to its success. These consist chiefly in the long periods of confinement, and the great number of prisoners.

To prisoners in a house of correction, whose period of confinement is limited to a few months, little hazard would result from an habitually scanty diet. People may be undernourished for a short time, with impunity; but prisoners who are in the course of a confinement for five, or seven, or ten years (and none are condemned to less in the Penitentiary,) cannot safely be subjected to the same system. Many injurious influences will arise in the course of years, which a few months would not produce. There will be changes and inclemencies of seasons to be provided against, and the heavy pressure of moral circumstances, for which, although they cannot be strictly appreciated, large allowances must be made. The great number of prisoners at the Penitentiary, independently of the contingencies to which they are exposed in the course of a long confinement, renders such an experiment peculiarly hazardous. Restriction to a vegetable diet, or to a diet that is considered just sufficient

sufficient for nourishment and health, requires a constant vigilance over the health of each individual prisoner. Such a vigilance is the only security against the possible evils that may arise. In a prison containing 50 prisoners, a diet even of bread and water may be adopted without hazard; because there the requisite degree of vigilance can be obtained; and the medical superintendent of such a prison would become so familiar with the aspect of individuals, as to see at once the earliest indications of disease in any one of them. But in a prison containing 900 or 1,000 prisoners, the requisite degree of vigilance would be impossible; and for the want of it, a great hazard would be incurred by adopting the same system of diet.

For these reasons, and especially because the diet of the last eight months, in which the animal matter was reduced almost to nothing, has mainly contributed, as we conceive, to produce the present extensive disease, we recommend that, in future, animal food should make a larger part of the diet at the Penitentiary.

Upon the subject of Diet, we recommend:

1st. That half a pound of flesh meat, without bone, be allowed to every prisoner, once a week on Sunday.

2d. That, in addition, half a pound of flesh meat be allowed to every prisoner once a fortnight, on any day that the Committee may think proper.

3d. That white bread should always be given to the prisoners, that is, bread made of the best wheat flour, and free from all impurities.

4th. That the prisoners should have one meal each day entirely of solid food; that is, if they have gruel for breakfast, and gruel for supper, that their dinner should not be of soups or broth; but that, of whatever vegetable or animal substances it consist, they should be given in a solid form.

As to the kind of vegetables suitable for the principal meal of the prisoners, a certain latitude must be allowed, in regard to those which are most easily procured. All the vegetables in common use, are wholesome. Potatoes and rice can be procured at all times; and fortunately, they are the most nutritious.

We recommend, that the present allowance of four ounces of flesh meat, with one orange, daily, be continued to every prisoner for a month: that, afterwards, four ounces of flesh meat be given on alternate days for a fortnight, and that then, if the general state of the prison be healthy, it be put upon the ordinary diet, that shall be determined by the Committee.

In closing our Report, we beg to express our firm conviction that there is now no obstacle to the entire re-establishment of the healthy state of the Penitentiary. We must, nevertheless, add, that for several weeks to come, occasional cases of bowel complaint will probably still be found to arise in the prison; we suggest, therefore, the necessity of great vigilance and frequent inspection, that none of such cases may pass undiscovered; and we recommend, that every case, as soon as it is noticed, be removed to the infirmary, and subjected to the strictest medical treatment. Security against relapse will best be obtained by whatever is calculated to strengthen the constitutions of those who have already suffered, and especially by still employing the means which have hitherto mainly contributed to their recovery. It is with this view that we have recommended the continuance of the present allowance of animal food for another month.

We have examined the accounts which have been transmitted to us from the Secretary of State's office, of the Diet used in different prisons in England, contained in the answers to questions which were sent to the visiting magistrates, on this and other subjects connected with the health of prisoners. But on comparing the different plans of diet detailed in those answers, which have as yet reached us, with the objects and system of the General Penitentiary, we do not conceive that any of them will be at all suitable to that establishment. We have to observe, however, that answers to the above-mentioned questions, have been received only from seven of the prisons that have been written to for information on these subjects.

(signed)

P. M. Latham, M. D.

5th April 1823.

P. M. Roget, M. D.

APPENDIX
(E.)

I.

NUMBERS AFFECTED WITH THE DISEASE.

TABLE of the Number of Prisoners of different denominations, who were labouring under one or other of the forms of the SCORBUTIC DISEASE, in the General Penitentiary, in the beginning of March 1823.

MARCH 1823.		Total Number of Prisoners.	Number ill of the Disease.	Equivalent Number per cent.
MALES	FIRST CLASS - - - - -	309	110	35
	SECOND CLASS - - - - -	222	121	54
	Confined - - under 1 year - - -	173 *	40	23
	- - " - - - between 1 and 2 years - - -	156	74	47
	- - " - - - between 2 and 3 years - - -	165	91	55
	- - " - - - between 3 and 4 years - - -	28	19	68
	- - " - - - above 4 years - - -	9	7	78
	Total MALES - - -	531	231	44
FEMALES	FIRST CLASS - - - - -	94	52	55
	SECOND CLASS - - - - -	233	165	71
	Confined - - under 1 year - - -	37	12	32
	- - " - - - between 1 and 2 years - - -	93	65	70
	- - " - - - between 2 and 3 years - - -	106	74	70
	- - " - - - between 3 and 4 years - - -	68	56	82
	- - " - - - above 4 years - - -	23	10	43
	TOTAL FEMALES - - -	327	217	66
OF BOTH SEXES.	FIRST CLASS - - - - -	403	162	40
	SECOND CLASS - - - - -	455	286	63
	Total PRISONERS - - -	858	448	52

* Of those, 85 had been received into the Prison since the 1st of January, and therefore had been subject for a much shorter time to the influence of the presumed causes of the disease.

II.

APPENDIX
(E.)

NUMBER OF PATIENTS IN THE INFIRMARIES.

TABLE OF THE NUMBER OF PATIENTS IN THE INFIRMARIES,

On every Day since the 1st of January 1823.

January.				February.				March.			
Days.	Males.	Females.	TOTAL.	Days.	Males.	Females.	TOTAL.	Days.	Males.	Females.	TOTAL.
1	17	36	53	1	12	43	50	1	44	66	110
2	18	48	56	2	15	45	60	2	54	72	126
3	19	41	60	3	17	46	63	3	59	77	136
4	20	42	62	4	17	51	68	4	64	81	151
5	17	45	62	5	20	46	66	5	62	80	142
6	19	48	67	6	18	50	68	6	47	73	120
7	22	48	70	7	21	45	66	7	45	64	109
8	21	59	80	8	24	43	67	8	48	65	113
9	20	59	79	9	23	47	70	9	45	54	99
10	20	65	85	10	25	47	72	10	42	58	100
11	21	70	91	11	21	42	63	11	43	52	95
12	18	72	90	12	22	38	60	12	45	51	96
13	19	67	86	13	22	37	59	13	40	50	90
14	19	65	84	14	21	32	53	14	44	54	98
15	15	60	75	15	18	44	62	15	42	54	96
16	17	56	73	16	22	46	68	16	41	59	100
17	16	45	61	17	22	34	56	17	38	52	90
18	16	43	59	18	23	35	58	18	43	57	100
19	16	43	59	19	25	35	60	19	44	60	104
20	19	43	62	20	26	39	65	20	43	69	112
21	19	43	62	21	27	43	70	21	42	65	107
22	21	42	63	22	32	50	82	22	37	59	96
23	22	46	68	23	33	51	84	23	37	59	96
24	19	43	62	24	33	51	84	24	32	56	88
25	17	40	57	25	37	59	96	25	36	57	93
26	19	43	62	26	42	63	105	26	37	58	95
27	19	50	69	27	42	61	106	27	39	61	100
28	18	50	68	28	42	66	108	28	41	63	104
29	14	45	59					29	42	66	108
30	13	44	57					30	40	62	102
31	11	44	55					31	32	55	87

April.

1	33	59	92
2	35	59	94
3	31	60	91
4	35	62	97
5	37	64	101

APPENDIX
(E.)

N° 12.

REPORT by Drs. Latham and Roget, upon the Penitentiary, 4th July 1823.

To the Superintending Committee of the General Penitentiary.

Prisoners under Medical Treatment, 3d of July 1823.

	Men.	Women.	Total.
Stationary - - -	17	22	39
Convalescent - - -	70	37	107
Well - - -	179	83	262
Ill of other diseases - - -	8	22	30
Total - - -	274	164	438

Gentlemen,

IN presenting our report of the present state of the Penitentiary, we must be permitted to accompany it with a few observations.

When we were first engaged at the Penitentiary, it appeared to us important to determine the period at which the diseases we had to treat began to prevail; and for this information we resorted to the testimony of the prisoners themselves. Owing, however, to certain suggestions made to us by others, we were led to distrust the statement of prisoners respecting their own complaints, unless it was confirmed by other circumstances; and thus we were able to trace only a few cases of either diarrhœa or scurvy back to a remoter period than Christmas.

But our greater experience of their conduct and character has led us to give further credit to the prisoners own statements; and from the uniformity and consistency of their testimony, we have no doubt that both diarrhœa and scurvy prevailed most extensively throughout the prison at an early period of the autumn. Not longer than a fortnight after the diet was changed, in July, the disorder of the stomach and bowels began first to show itself. Even in the very month of July a few of the prisoners suffered vomiting and diarrhœa. These (as we judge from the manner in which they occurred) were unquestionably owing to the disagreement of food. They ceased and recurred at intervals. The prisoners themselves thought lightly of them, and did not make them a subject of complaint either then or at a much later period. Hence (as we have observed in a former report) no blame is imputable to the medical officers, that they went for a long time undiscovered.

Nevertheless the fact is certain, and it is no wonder, therefore, that the diarrhœa especially, which had been so long unrestrained by any effectual treatment, should at length have proved an intractable disease, and been protracted by a succession of relapses nearly to the present time. For this complaint (independently of other circumstances connected with it) is, according to the length of its duration, always suspected of being maintained by a disorganization of (what is called) the mucous structure of the bowels.

Such disorganization, in its least and lowest degree, is reparable tardily only, and with difficulty; and in its greater degree, it is altogether irreparable.

In our report to the Committee of the 5th of April, we ascribed the forms of disease then prevalent in the Penitentiary mainly to the influence of diet and cold, and our opinion has been confirmed by that of other physicians who have been consulted upon this point. But many prisoners admitted since the diet, thought to be injurious, has been changed, and since the weather has become milder, have become the subjects of dysentery; and several of the officers of the establishment most employed about the sick have suffered the same disease.

Unquestionably, then, we do believe, that some injurious influence has been in operation, over and above the causes to which the epidemic was originally imputed. This injurious influence may have been present from the first, or it may have been subsequently super-added. Whatever it be, it has hitherto eluded our detection; and, whether it is, or is not in operation at present we cannot tell.

If it consist of contagion (and such possibly may be the case) dysentery will still probably linger in the prison, as long as any remain there who have not suffered it; and then it will entirely disappear. If it consist of something peculiar to the place, or to the season, or to the moral and physical condition of people so confined, it may be still capable of renewing the same disease, or of creating another form of epidemic.

We are aware that the public mind is impatient to be satisfied as to the causes which, from first to last, have produced and maintained the various forms of complaint in the Penitentiary. Upon this subject we wish to dwell for a moment, in order to show that the satisfaction which is sought cannot be obtained.

The causes (the existing causes, as they are called) of diseases are involved in much uncertainty; and when the question is concerning an extensive epidemic, this uncertainty is felt, and confessed to be most painful: still the inquiry into these causes can never be hastily dismissed; for to discover what they are, and to remove them, if they are within our reach, may be essential to the effectual cure of the disease.

With respect to the Penitentiary, then, while we confess that there has been, and still may be, a cause of disease in operation, which we are ignorant of, we are most anxious for

for the Committee to feel convinced, that the fault does not entirely rest with us, that it remains undiscovered, but that the difficulty of detecting it is inherent in the subject itself.

We beg to state, that opinions respecting the causes of diseases are formed, not from the mere observation of one or two things immediately obvious to the senses, but from a cautious investigation of a great variety of circumstances, and from a series of reasoning upon them.

It is obvious that opinions necessarily so formed, are very liable to error; and hence it happens, that no prudent physician ever arrived at conclusions about the causes of a disease, with so certain a conviction that he was right, as not to confess that he might possibly be wrong.

Numerous cases in the Penitentiary, to which we have already alluded, have seemed to us quite inexplicable, except upon the presumption of contagion. The fact may be otherwise; and authorities (we are aware) preponderate against the contagious nature of dysentery: nevertheless, we have not thought ourselves justified in neglecting the practical measures which the facts before us appeared to suggest, until medical opinion is settled upon this point.

We beg to add a few remarks upon the Table just delivered in, which represents the number of prisoners at present under medical treatment.

In this Table the Committee will see with satisfaction, how small a proportion those, who are now suffering the severer symptoms of the disease, bear to those who are convalescent and to those who are well.

Nevertheless, it may appear strange to the Committee, that so many should be still kept under medical observation and treatment, who, as far as health is attested by the absence of all symptoms of disease, are perfectly well: in them, indeed, the disease may be effectually cured, and we trust it is; but the instances of relapse, after many weeks of apparent health, have been too numerous to allow us to dismiss all apprehension concerning them.

How to obtain for those who have already suffered the disease, and are now apparently well, an effectual security against relapse, has become our chief care and anxiety. This security (as it seems to us) can be procured only by guarding them from the influence of all things that are obviously injurious, and by still keeping them in a moderate degree under the influence of the same remedies which have thus succeeded in restoring them to health.

For ourselves we must be allowed to observe, that we have never felt the responsibility of our charge so sensibly as at the present moment. While we were engaged in actively ministering to above 400 sick, we were not at leisure for useless anxieties; but now that we have time to reflect upon our situation, and consider that the public still holds us responsible for the employment of all possible means for protecting this vast establishment against the recurrence of the same terrible visitation, and the invasion of any new epidemic, we cannot refrain from begging of the Committee, that they would be pleased to grant us the benefit of consulting with some physicians of eminence and authority, who may either confirm us in the means we are using, or suggest others more effectual.

We are not disposed to look with despondency upon the state of the Penitentiary. There is one event, however, which, under the most fortunate circumstances, will unquestionably come to pass, and it is proper that the Committee should be informed of it.

If we were sure, that from the present time, all causes would cease to operate for the renewal of the same disease, and for creating any new form of epidemic, and if we were sure, that all who have suffered the disease were henceforward secure against relapse, still we must entertain the confident belief, that among nearly 500 persons who have suffered so long and so severely, complaints peculiarly apt to debilitate the general frame, many will be found, whose restoration to complete health will be tardy, difficult and precarious, and who, in the meantime, will be ready to fall into any diseases to which the constitutions of each may have an original proclivity. Hence, we foresee, that independently of any general or epidemic complaint, there will arise from time to time in the Penitentiary, occasional cases of complicated and anomalous disease: of these cases some may be trivial, but others will be formidable, and a few fatal; and they will be as various in their characters as the constitutions of individuals are various.

We cannot close this Report without thanking the Committee for the uniform kindness and confidence with which they have regarded our labours. We have (we can assure them) most anxiously and scrupulously reviewed all the practical measures we have employed during the prevalence of this most formidable and extensive epidemic. These measures were adapted to emergencies as they arose, with as much care and deliberation as circumstances would allow; yet, upon reflection, we conscientiously affirm, that we discover no error which we desire to palliate or amend, and see no suitable remedy or medical expedient which we have omitted to use; and that, should we again be called upon to treat the same malady, we should only study to retrace our own footsteps, and should employ the same remedies and medical expedients with an increased confidence in their success.

(signed)

P. M. Latham, M. D.

July 4th, 1823.

P. M. Roget, M. D.

N° 13.

APPENDIX
(E.)

EXTRACTS from the Minutes of the Superintending Committee of the General Penitentiary, of 21st and 29th March 1821 ; with Medical Officers Report.

— 1. —

Extract from the Minutes of the Superintending Committee of the General Penitentiary, of the 21st March 1821 ; in regard to the quantity of bread to be allowed to prisoners confined for punishment on bread and water.

Resolved, THAT the medical officers be desired to give in to the Committee, a statement of the quantity of bread, which they may think in general to be sufficient for the sustenance of prisoners, male and female, confined for punishment on bread and water.

— 2. —

Extract from the Minutes of the Superintending Committee of the General Penitentiary, of the 29th March 1821, on the same subject ; with the Medical Officers Report therein alluded to.

IN compliance with the order of the last meeting of the Committee, a report from the medical officers was presented to this meeting, in regard to the quantity of bread sufficient for prisoners under confinement ; and it was

Resolved, THAT prisoners confined in refractory cells, or upon bread and water diet, be allowed one pound of bread per diem only ; subject to alteration, upon the medical officers reporting the necessity of it.

— 3. —

Copy of Medical Officers Report.

Gentlemen,

General Penitentiary, 26 March 1821.

IN answer to the query contained in your order of the 21st instant, we have the honour to acquaint you, that, in our opinion, one pound of bread per diem is quite sufficient for any prisoner confined in the refractory cell for a period of one week ; but should the confinement be protracted beyond this period, we beg to submit, whether any further increased allowance might not, with propriety, be left to the discretion of the medical officers, as the necessity of the case may require : prisoners in such a situation being daily visited by the surgeon.

We have the honour to be, Gentlemen, your most obedient humble servants,

(signed) A. Copland Hutchison, M. D.
Medical Superintendent.
John Pratt, Surgeon.

The honourable
The Committee of the General Penitentiary,
&c. &c. &c.

N° 14.

ACCOUNT of Sums voted for the building of the Penitentiary at Milbank.

The sum total voted by Parliament amounts	}	£. 458,000.
altogether to - - - - -		

N. B.—The works not being yet quite completed, the exact cost cannot be stated, but it will not exceed the sum voted.

N° 15.

AN ACCOUNT of the Gross Expense of the General Penitentiary at Milbank ; of the Produce of the Earnings of the Prisoners accruing to the Establishment, and of the Net Expense to the Public ; also, of the Number of Convicts who have been Received into it, Discharged from it, and Died in it ; with the Number remaining at the end of each Year, and the Average Number for the Year ; from the opening of the Institution in June 1816, to the 31st of December 1822.

APPENDIX
(E.)N^o 15.

AN ACCOUNT of the Gross Expense of the General Penitentiary at Milbank; of the Produce of the Earnings Convicts who have been Received into it, Discharged from it, and Died in it; with the Number remaining at the 31st of December 1822; viz.:

YEARS.	GROSS EXPENSE.	PROFIT by three-fourths of Prisoners Earnings.	NET EXPENSE to the PUBLIC.	Number of CONVICTS received in each Year.		
				Males.	Females.	Total.
From 27 June to 31 December 1816	£. s. d. 5,199 2 8	£. s. d. 93 - 9	£. s. d. 5,106 1 11	- -	72	72
„ 1 January to - d° - - 1817	11,884 7 8	732 3 5	11,152 4 3	103	37	140
„ - - d° - - d° - - 1818	11,588 12 9	1,187 16 -	10,400 16 9	17	28	45
„ - - d° - - d° - - 1819	11,901 15 6	1,673 1 5	10,228 14 1	29	88	117
„ - - d° - - d° - - 1820	18,010 3 1	3,045 14 8	14,964 8 5	174	111	285
„ - - d° - - d° - - 1821	20,679 3 1	4,538 11 4	16,140 11 9	149	97	246
„ - - d° - - d° - - 1822	18,336 1 2	4,461 12 -	13,874 9 2	117	46	163

REMARKS:--In the years prior to 1821, the amount of Expense in the above Account does not precisely correspond with the sums stated in the Annual Reports to Parliament, owing to the Books not having been kept with such accuracy as has been observed since, but the difference on all the Accounts does not exceed a few hundred pounds.

Since 1816, three Female and two Male Convicts have been removed to Bethlehem, but as they have all been

General Penitentiary, }
2d July 1823. }

N° 15.

of the Prisoners accruing to the Establishment, and of the Net Expense to the Public; also, of the Number of the end of each Year, and the average Number for the Year; from the opening of the Institution in June 1816, to

NUMBER OF CONVICTS Discharged in each Year						Number who have Died in each Year.			Total Number of PRISONERS Discharged and Died in each Year.			Number of PRISONERS remaining in the Penitentiary at the End of each Year.			Average Number of CONVICTS in the Penitentiary during the Year.		
On Expiration of their Term of Imprisonment.			BY PARDON.														
Males	Females.	Total.	Males	Females.	Total.	Males	Females.	Total.	Males	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
-	-	-	-	-	-	-	-	-	-	-	-	-	72	72	-	-	64
-	-	-	6	1	7	1	3	4	7	4	11	96	105	201	63	88	151
-	-	-	3	5	8	1	3	4	4	8	12	109	125	234	106	118	224
-	-	-	11	13	24	1	1	2	12	14	26	126	199	325	115	158	273
-	7	7	21	18	39	5	7	12	26	32	58	274	278	552	194	233	427
15	20	35	16	22	38	8	9	17	39	51	90	384	324	708	330	301	631
27	9	36	11	23	34	10	12	22	48	44	92	453	326	779	416	329	745

been received back again (with the exception of one, whose term of imprisonment expired while he was there, and who is consequently included in the number of discharged prisoners) no notice has been taken in the above statement of their absence.

Of the Prisoners who have been discharged from the Penitentiary, twenty-six Females and twenty-three Males have received gratuities for good conduct for twelve months, after their leaving the institution, previous to the end of 1822.

Rob^t Auld,
Secretary and Accountant.

APPENDIX
(E.)N^o 15.

AN ACCOUNT of the Gross Expense of the General Penitentiary at Milbank; of the Produce of the Earnings of Convicts who have been Received into it, Discharged from it, and Died in it; with the Number remaining at the 31st of December 1822; viz.:

YEARS.	GROSS EXPENSE.	PROFIT by three-fourths of Prisoners Earnings.	NET EXPENSE to the PUBLIC.	Number of CONVICTS received in each Year.		
				Males.	Females.	Total.
	£. s. d.	£. s. d.	£. s. d.			
From 27 June to 31 December 1816	5,199 2 8	93 - 9	5,106 1 11	- -	72	72
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„ - - d° - - d° - - 1820	18,010 3 1	3,045 14 8	14,964 8 5	174	111	285
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N° 15.

of the Prisoners accruing to the Establishment, and of the Net Expense to the Public; also, of the Number of the end of each Year, and the average Number for the Year; from the opening of the Institution in June 1816, to

NUMBER OF CONVICTS Discharged in each Year						Number who have Died in each Year.			Total Number of PRISONERS Discharged and Died in each Year.			Number of PRISONERS remaining in the Penitentiary at the End of each Year.			Average Number of CONVICTS in the Penitentiary during the Year.		
On Expiration of their Term of Imprisonment.			BY PARDON.														
Males	Females.	Total.	Males	Females.	Total.	Males	Females.	Total.	Males	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
-	-	-	-	-	-	-	-	-	-	-	-	-	72	72	-	-	64
-	-	-	6	1	7	1	3	4	7	4	11	96	105	201	63	88	151
-	-	-	3	5	8	1	3	4	4	8	12	109	125	234	106	118	224
-	-	-	11	13	24	1	1	2	12	14	26	126	199	325	115	158	273
-	7	7	21	18	39	5	7	12	26	32	58	274	278	552	194	233	427
15	20	35	16	22	38	8	9	17	39	51	90	384	324	708	330	301	631
27	9	36	11	23	34	10	12	22	48	44	92	453	326	779	416	329	745

been received back again (with the exception of one, whose term of imprisonment expired while he was there, and who is consequently included in the number of discharged prisoners) no notice has been taken in the above statement of their absence.

Of the Prisoners who have been discharged from the Penitentiary, twenty-six Females and twenty-three Males have received gratuities for good conduct for twelve months, after their leaving the institution, previous to the end of 1822.

Rob^t Auld,
Secretary and Accountant.

PENITENTIARY, MILBANK.

REPORT OF THE PHYSICIANS

On the State of the General Penitentiary at Milbank ;

5th April 1823.

TO THE COMMITTEE OF THE GENERAL PENITENTIARY
AT MILBANK.

GENTLEMEN,

IN conformity with the instructions conveyed to us, in your resolution of the 28th of February last, we have visited the Penitentiary daily, since the 1st of March; we have carefully and repeatedly examined, at different times, the state of health of each individual prisoner; we have taken constant charge of the sick in the infirmaries; we have communicated continually with your medical officers, Mr. Hutchison and Mr. Pratt, and frequently with the other officers of the establishment; we have made whatever inquiries seemed requisite to obtain correct information concerning the nature and extent, and the origin and progress of the disease lately prevalent in the Penitentiary, the causes which probably contributed to its production, and the means most expedient for its cure, and most likely to prevent its recurrence; and we have agreed upon the following Report:—

FROM the testimony of the officers of the establishment, and particularly of the matron, it appears, that during the last autumn the general health of the prisoners began visibly to decline. They became pale and languid, and thin and feeble. Those employed in tasks requiring much bodily exertion, were unequal to the same quantity of work as formerly. Those at the mill could grind less corn; those at the pump could raise less water. From time to time several of the laundry women fainted under their work; and the business of the laundry could only be carried on by continually changing the hands engaged in it. Such was the general state of the prisoners throughout the winter. State of the Prison during the winter;

Still, notwithstanding this remarkable depression of the general health, there appeared among them no manifest signs of any peculiar disease. The number of sick received into the infirmaries, did not much exceed the proportion which, in the winters of former years, it had borne to the total number of prisoners; and their disorders were those commonly incident to cold weather. It was not until the beginning of February, that any marks of scurvy were reported by Mr. Hutchison, as having been noticed by him on a few individuals in the infirmaries. And here it may be observed, that these marks are, at their first appearance, peculiarly apt to escape discovery, unless the attention be particularly directed towards them; and that they often exist for a long time, entirely unnoticed by the patient himself. Between the fourteenth of February and the first of March, no less than forty-eight prisoners came into the infirmaries, affected chiefly with diarrhœa and dysentery. The diarrhœa and dysentery were of a peculiar kind, and were suspected to have a connexion with the scorbutic disease. At this time, also, all these various affections were found spreading extensively, but in different degrees of severity, throughout the prison.

and during the first week in March.

On the 28th of February, our assistance was called for; and having learned the facts already detailed, we began our examination of the prison and the infirmaries on the 1st of March. We found the prevailing disease to be the same with that which is known by the name of *Séa Scurvy*, and which is characterized by livid spots, or blotches of the skin, especially on the lower extremities. Conjoined with the scurvy, in almost every case, there was diarrhœa or dysentery. There were, indeed, a few instances of scurvy without disorder of the bowels; and moreover, numerous instances occurred of diarrhœa and dysentery, where no marks of scurvy had appeared. But still, whether the scurvy subsisted alone, or the diarrhœa or dysentery subsisted alone, or whether they were conjoined in the same individuals, there was found in all those who suffered from either, or from both, the same constitutional derangement, denoted by a sallow countenance, an impaired digestion, diminished muscular strength, a feeble circulation, various degrees of nervous affection, as tremors, cramps, or spasms, and various degrees of mental despondency.

Nature of the prevailing Disease.

These facts seemed to lead directly to the belief, that the diarrhœa and dysentery and scurvy, had their origin in the same morbid state of the constitution. In this belief we were more and more confirmed by further observation; and we soon had the means of determining with certainty, that they, in reality, constituted one and the same disease. We examined by dissection the bodies of two prisoners who died dysenteric, and found, in various parts of the intestines, the morbid appearances called, in medical language, *Ecchymoses*; that is, spots of the same kind as those which on the skin constitute scurvy. We found, in fact, an absolute scurvy of the bowels, of which the diarrhœa or dysentery was only a symptom and consequence.

Its extent.

With regard to the extent of this disease, we found more than one half of the whole number of prisoners affected by it, in one or other, or in all its forms; but the proportion was not the same among the prisoners of different sexes, or belonging to different classes. The women were affected much more extensively than the men; and of both men and women, the second class, which is composed of those who have been longest in confinement, was affected in a much larger proportion than the first class, which comprises those who have been more recently imprisoned. Of the women, about two-thirds were ill of the disease; of the men, rather less than one-half. Of the women in the first class, one half were ill: of those in the second class, five-sevenths. Of the men in the first class, above one-third were ill: of those in the second class, rather more than one-half. The exact numbers are stated in the Table subjoined to this Report.

Peculiar Exemptions from the Disease.

Some striking exemptions require to be noticed. Of the 24 prisoners employed in the kitchens (13 men and 11 women) belonging to the class which had suffered most extensively, all were free from the disease, excepting three, one woman and two men. These three had been promoted to the kitchen within four days. It is proper to add, that the officers and servants of the Establishment, together with their families, residing within the walls of the prison, and amounting to 106 individuals, were universally exempt from the disease.

Rise and Progress of the Disease.

We took some pains to ascertain the period at which the disease in question might be considered as having commenced, and the gradations by which it had reached its present extent and aggravation. It appeared reasonable to assume, that whenever upon the feeble and drooping condition observed among the prisoners throughout the winter, diarrhœa or dysentery, or scurvy supervened, then the disease was fully constituted. With respect to the scurvy, it was scarcely possible to assign the exact time at which it commenced, on account of the insidious mode of its attack, and the facility with which it may elude observation on its first appearance. But we have fully satisfied ourselves, that there existed among the female prisoners, a few cases of decided scurvy as early as the month of November. Among the men we cannot trace any instance of scurvy, back to a remoter period than two months. It is certain, however, that it was not until after Christmas that the scurvy had spread very extensively among either sex. About the middle of January, the instances had become numerous among the women; and among the men, about the middle of February; and it continued to increase progressively in both sexes, until the first week in March.

The

The diarrhœa and dysentery appear, in their origin and progress, to have kept pace with the scorbutic symptoms. Upon inquiry among the prisoners, we found that some of them had been occasionally suffering from diarrhœa before Christmas; but the instances being few, and the cases yielding readily to common remedies, they did not excite any alarm, and were naturally imputed to accidental causes. Under ordinary circumstances, such a conclusion might have been fairly admitted: but considering what the general health of the prisoners then was, and with our knowledge of what has since occurred, we cannot but suspect that in some of these instances, the diarrhœa belonged to the same disease, of which it has since been found to constitute the principal and most formidable symptom.

In the course of January, the instances of diarrhœa were too numerous to be attributable to common or accidental causes. But, even then, it had not become matter of general complaint, for it was not attended with much pain, and in most of the sufferers it continued for a short period only, and then ceased: but it renewed its attacks from time to time on the same individual, gradually, though insensibly, impairing his strength. In this manner, through the month of January, many of the prisoners were sustaining a severe injury to their constitution, without being conscious of more than an accidental ailment, and without applying for relief.

Increasing daily in extent and severity, it at length became matter of complaint; and at the latter end of February, diarrhœa and dysentery constituted a large proportion of the cases in the infirmaries. Three deaths from this disease, occurred between the 14th of February and the 1st of March, the day on which we made our first examination of the prison and the infirmaries. In the prison, the disease had reached the extent already mentioned; and in the infirmaries there were 64 patients labouring under the disease, in one or other of its forms.

In inquiring into the causes of the disease in question, we think it right to state our persuasion, that the situation of the prison has not contributed to its production. First, because, if this had been the case, it is reasonable to suppose that the same disease would have occurred in former years; whereas it has never appeared until the present winter. Secondly, had this been the case, the officers of the prison, being equally obnoxious with the prisoners to any injurious influence of situation, could not have been universally exempt, as it appears they have been, from the same disease. Thirdly, because, if the situation of the prison be injurious, it must be presumed to be so in consequence of marsh miasmata arising in its neighbourhood; yet since its establishment, the prison has been altogether free from those diseases which marsh miasmata confessedly engender. Fourthly, because, marsh miasmata always arise during the hot, and never during the cold seasons of the year; and the diseases which they engender belong to the same seasons. Lastly, because, although scurvy and dysentery have undoubtedly been found prevalent in marshy districts, yet when marsh miasmata have produced them, they have been associated with intermittent fevers, and have occurred only at the hot seasons of the year. It may possibly be suspected that the simple dampness of the situation may have contributed something to the disease. But we can state with confidence, that every part of the prison is singularly dry; and that in no cell or passage, on no floor or ceiling, or wall of the prison, have we found the smallest stain or appearance of moisture.

Inquiry into the cause of the Disease.

Its independence on the situation of the Prison.

Several circumstances respecting the disease in question, which have been already mentioned, seemed to limit the causes of its production to such as could have had their operation exclusively upon the prisoners, and especially at the present season, and now for the first time. One such cause is found, we conceive, in the diet of the prison. During the last eight months the diet was different from what it had been ever since its establishment. The change which took place in July last, reduced the animal part of the diet almost to nothing. In a soup made of pease or barley, ox heads were boiled, in the proportion of one ox head to 100 male, and one to 120 female prisoners: and we found upon inquiry, that the meat of one ox head weighed, upon an average, eight pounds, which, being divided among a hundred, allows only an ounce and a quarter for each prisoner. This new diet had been continued until the present time; and to it we mainly ascribe the production of the disease in question.

Influence of Diet in its production.

It does, nevertheless, appear to us, that the diet of the prison has not itself alone been productive of the disease, but that it required the concurrence of other causes,

Influence of Cold.

of which the severity of the winter was probably the chief. The origin of the disease has been traced to the commencement of the cold weather, and its progress and increase have kept pace with it. There are, moreover, two circumstances which confirm us in the belief, that diet and cold have been concurrent causes. The sufferers were most numerous in that class of prisoners which were most exposed to the influence of cold, from the lower temperature of the cells in which they pass the night: showing, that where both causes most conspicuously concurred, the disease was most extensively produced. Yet those individuals of that class who, sleeping in the same cells and exposed to the same low temperature by night, were employed in the kitchen by day, and had access to richer diet, were universally exempt: showing, that where one cause was withdrawn, the other was of itself inadequate to produce the disease.

Means employed
to counteract the
Disease.

Such being the character and extent of the disease in the Penitentiary, and such its most probable causes, we proceeded to adopt those measures for counteracting it, which its own nature and the opinion we entertained of its origin seemed to suggest. We ordered an immediate change in the diet of the prison. In place of pease and barley soup for dinner, we substituted a daily allowance of four ounces of flesh meat, and eight ounces of rice daily for each prisoner, and white bread instead of brown: and, as the cheapest and the best antiscorbutic article of diet which could be procured at this season of the year, we ordered three oranges for every prisoner daily, one at each meal.

It is unnecessary to detail the methods of medical treatment employed in the infirmaries.

Gradual Decline
of the Disease.

On our examinations of the prison between the 12th and the 19th of March, we found the general aspect of the prisoners visibly improved. The taskmasters informed us, that they were more cheerful, and did more work; and particularly that those employed at the mill could grind one-third more flour. The scorbutic marks had, in almost every case, begun to decline, and in many of the slighter cases had absolutely disappeared.

On our general surveys of the prison between the 31st of March and the 4th of April, we could not find more than fifty individuals of both sexes, on whom any marks of scurvy remained; and on the greater number of these, they were so slight as hardly to be detected.

The diarrhoea and dysentery have, upon the whole, kept pace in their decline with the gradual disappearance of the scorbutic spots. On each of our examinations of the prison, we found them relieved or cured nearly in the same proportion; and, on our last examination, there were not remaining so many as twenty cases of bowel complaints in the whole prison.

State of the
Infirmaries.

It is proper to remark that the diarrhoea and dysentery, being the most formidable part of the disease, was that for which medical treatment was especially required. Therefore, of the prisoners thus affected, we have constantly received as many into the infirmaries as there was room to accommodate, whether their cases were severe or slight. At the period when, as we have stated, the disease was upon the decline, that is, during the last weeks of March, it will be observed that there was a greater number of prisoners in the infirmaries than at the period when the disease in all its forms was at its greatest aggravation and extent, that is, during the first week in March. The truth is, that when we began our attendance, we found only the severer cases of bowel complaints in the infirmaries: but as soon as we had learned by the dissection of two patients who died dysenteric, that the disease tended to produce irreparable organic mischief of the intestines, we thought it right to bring as many cases as possible under strict medical treatment: and moreover, as soon as we had learned in the course of our observations, the great liability of the diarrhoea and dysentery to return, we thought it right to use the greatest possible vigilance over particular cases, during the period of their convalescence. Hence many, in whom we most strongly suspected this proneness to relapse, were still kept in the infirmaries, after the actual symptoms of their disease had disappeared; and a convalescent ward, in addition to the ordinary accommodation of the infirmaries, was opened for their benefit. These are the circumstances that are to be borne in mind, in order to reconcile the apparent inconsistency of the number in the infirmaries being greater, at the very time when the disease in the prison was daily and rapidly declining.

From

From the 1st of March to the present day, 222 patients have been admitted into the infirmaries, making, with the 110 already there, a total of 332 patients. Of these, eleven have died, six of dysentery, and the remaining five of diseases unconnected with the present disease. At present, the total number of patients in the infirmaries is 101, namely, 64 women and 37 men. Of this number we consider that 36 are convalescent, and exhibit no symptom of disease; and they are retained in the infirmaries only by way of precaution against relapse: 19 only are still suffering the symptoms of the disease; and 46 are affected with other complaints.

It remains for us to fulfil the wishes of the Committee, by suggesting to them some considerations respecting Diet. With regard to the diet of prisoners undergoing punishment for crimes, we presume the object to be, that they should have enough for nourishment and health, and nothing more. How much, and what quality of food will actually suffice for this purpose, can be deduced only from numerous and careful experiments. But no such experiments, as far as we know, have ever been made. There are certainly none upon record, to which we can refer for information. We beg, therefore, that the observations we venture to make, and the recommendations we offer, respecting Diet, may be accepted as the result of the best consideration we can give to the subject, in the absence of positive experiments. Suggestions with regard to Diet.

Practically, the main question seems to be, Can animal food be safely excluded from prisons, and particularly from the Penitentiary? We are aware that a large portion of the labouring agricultural population of this country subsists altogether upon vegetable food, and is generally reputed vigorous and healthy; and we admit the justice of the inference, that an exclusively vegetable diet is *generally* wholesome; and we allow, moreover, that to submit those confined in prisons to such a diet, is a justifiable experiment. But still it is merely an experiment; and considering that every circumstance of the present condition and previous habits of those imprisoned for felonious crimes, is as different as possible from the simple condition and simple habits of an agricultural population, we should not be surprized to find that the experiment generally failed. At the Penitentiary there are, we conceive, peculiar obstacles to its success. These consist chiefly in the long periods of confinement, and the great number of prisoners.

To prisoners in a house of correction, whose period of confinement is limited to a few months, little hazard would result from an habitually scanty diet. People may be under-nourished for a short time, with impunity; but prisoners who are in the course of a confinement for five, or seven, or ten years (and none are condemned to less in the Penitentiary,) cannot safely be subjected to the same system. Many injurious influences will arise in the course of years, which a few months would not produce. There will be changes and inclemencies of seasons to be provided against, and the heavy pressure of moral circumstances, for which, although they cannot be strictly appreciated, large allowances must be made. The great number of prisoners at the Penitentiary, independently of the contingencies to which they are exposed in the course of a long confinement, renders such an experiment peculiarly hazardous. Restriction to a vegetable diet, or to a diet that is considered just sufficient for nourishment and health, requires a constant vigilance over the health of each individual prisoner. Such a vigilance is the only security against the possible evils that may arise. In a prison containing 50 prisoners, a diet even of bread and water may be adopted without hazard; because there the requisite degree of vigilance can be obtained; and the medical superintendent of such a prison would become so familiar with the aspect of individuals, as to see at once the earliest indications of disease in any one of them. But in a prison containing 900 or 1,000 prisoners, the requisite degree of vigilance would be impossible; and for the want of it, a great hazard would be incurred by adopting the same system of diet.

For these reasons, and especially because the diet of the last eight months, in which the animal matter was reduced almost to nothing, has mainly contributed, as we conceive, to produce the present extensive disease, we recommend that, in future, animal food should make a larger part of the diet at the Penitentiary.

Upon the subject of Diet, we recommend:

1st. That half a pound of flesh meat, without bone, be allowed to every prisoner, once a week on Sunday.

2d. That, in addition, half a pound of flesh meat be allowed to every prisoner once a fortnight, on any day that the Committee may think proper.

3d. That white bread should always be given to the prisoners, that is, bread made of the best wheat flour, and free from all impurities.

4th. That the prisoners should have one meal each day entirely of solid food; that is, if they have gruel for breakfast, and gruel for supper, that their dinner should not be of soups or broth; but that, of whatever vegetable or animal substances it consist, they should be given in a solid form.

As to the kind of vegetables suitable for the principal meal of the prisoners, a certain latitude must be allowed in regard to those which are most easily procured. All the vegetables in common use, are wholesome. Potatoes and rice can be procured at all times; and fortunately they are the most nutritious.

We recommend, that the present allowance of four ounces of flesh meat, with one orange, daily, be continued to every prisoner for a month: that, afterwards, four ounces of flesh meat be given on alternate days for a fortnight, and that then, if the general state of the prison be healthy, it be put upon the ordinary diet, that shall be determined by the Committee.

In closing our Report, we beg to express our firm conviction that there is now no obstacle to the entire re-establishment of the healthy state of the Penitentiary. We must, nevertheless, add, that for several weeks to come, occasional cases of bowel complaint will probably still be found to arise in the prison; we suggest, therefore, the necessity of great vigilance and frequent inspection, that none of such cases may pass undiscovered; and we recommend, that every case, as soon as it is noticed, be removed to the infirmary, and subjected to the strictest medical treatment. Security against relapse will best be obtained by whatever is calculated to strengthen the constitutions of those who have already suffered, and especially by still employing the means which have hitherto mainly contributed to their recovery. It is with this view that we have recommended the continuance of the present allowance of animal food for another month.

We have examined the accounts which have been transmitted to us from the Secretary of State's office, of the Diet used in different prisons in England, contained in the answers to questions which were sent to the visiting magistrates, on this and other subjects connected with the health of prisoners. But on comparing the different plans of diet detailed in those answers, which have as yet reached us, with the objects and system of the General Penitentiary, we do not conceive that any of them will be at all suitable to that establishment. We have to observe, however, that answers to the above mentioned questions, have been received only from seven of the prisons that have been written to for information on these subjects.

(signed)

P. M. LATHAM, M. D.

P. M. ROGET, M. D.

5th April 1823.

APPENDIX.

I.

NUMBERS AFFECTED WITH THE DISEASE.

TABLE of the Number of Prisoners of different denominations, who were labouring under one or other of the forms of the SCORBUTIC DISEASE, in the General Penitentiary, in the beginning of March 1823.

MARCH 1823.		Total Number of Prisoners.	Number ill of the Disease.	Equivalent Number per cent.
MALES	FIRST CLASS - - - - -	309	110	35
	SECOND CLASS - - - - -	222	121	54
	Confined - - under 1 year - - -	173 *	40	23
	- - " - - - - between 1 and 2 years - - -	156	74	47
	- - " - - - - between 2 and 3 years - - -	165	91	55
	- - " - - - - between 3 and 4 years - - -	28	19	68
	- - " - - - - above 4 years - - -	9	7	78
	Total MALES - - -	531	231	44
FEMALES	FIRST CLASS - - - - -	94	52	55
	SECOND CLASS - - - - -	233	165	71
	Confined - - under 1 year - - -	37	12	32
	- - " - - - - between 1 and 2 years - - -	93	65	70
	- - " - - - - between 2 and 3 years - - -	106	74	70
	- - " - - - - between 3 and 4 years - - -	68	56	82
	- - " - - - - above 4 years - - -	23	10	43
	Total FEMALES - - -	327	217	66
OF BOTH SEXES.	FIRST CLASS - - - - -	403	162	40
	SECOND CLASS - - - - -	455	286	63
	Total PRISONERS - - -	858	448	52

* Of these, 85 had been received into the Prison since the 1st of January, and therefore had been subject for a much shorter time to the influence of the presumed causes of the disease.

II.

NUMBER OF PATIENTS IN THE INFIRMARIES.

TABLE OF THE NUMBER OF PATIENTS IN THE INFIRMARIES,
On every Day since the 1st of January 1823.

January.				February.				March.			
Days.	Males.	Females.	TOTAL.	Days.	Males.	Females.	TOTAL.	Days.	Males.	Females.	TOTAL.
1	17	36	53	1	12	43	50	1	44	66	110
2	18	48	56	2	15	45	60	2	54	72	126
3	19	41	60	3	17	46	63	3	59	77	136
4	20	42	62	4	17	51	68	4	64	81	151
5	17	45	62	5	20	46	66	5	62	80	142
6	19	48	67	6	18	50	68	6	47	73	120
7	22	48	70	7	21	45	66	7	45	64	109
8	21	59	80	8	24	43	67	8	48	65	113
9	20	59	79	9	23	47	70	9	45	54	99
10	20	65	85	10	25	47	72	10	42	58	100
11	21	70	91	11	21	42	63	11	43	52	95
12	18	72	90	12	22	38	60	12	45	51	96
13	19	67	86	13	22	37	59	13	40	50	90
14	19	65	84	14	21	32	53	14	44	54	98
15	15	60	75	15	18	44	62	15	42	54	96
16	17	56	73	16	22	46	68	16	41	59	100
17	16	45	61	17	22	34	56	17	38	52	90
18	16	43	59	18	23	35	58	18	43	57	100
19	16	43	59	19	25	35	60	19	44	60	104
20	19	43	62	20	26	39	65	20	43	69	112
21	19	43	62	21	27	43	70	21	42	65	107
22	21	42	63	22	32	50	82	22	37	59	96
23	22	46	68	23	33	51	84	23	37	59	96
24	19	43	62	24	33	51	84	24	32	56	88
25	17	40	57	25	37	59	96	25	36	57	93
26	19	43	62	26	42	63	105	26	37	58	95
27	19	50	69	27	42	61	106	27	39	61	100
28	18	50	68	28	42	66	108	28	41	63	104
29	14	45	59					29	42	66	108
30	13	44	57					30	40	62	102
31	11	44	55					31	32	55	87

April.			
1	33	59	92
2	35	59	94
3	31	60	91
4	35	62	97
5	37	64	101

R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

P E N I T E N T I A R Y

AT MILBANK.

Ordered, by The House of Commons, to be Printed,
11 June 1824.

REPORT - - - - - p. 3

APPENDIX; viz. Minutes of Evidence and Papers - - - p. 9

R E P O R T.

THE SELECT COMMITTEE appointed to inquire into the present State of The PENITENTIARY, *Milbank*;—HAVE, pursuant to the Order of The House, inquired accordingly; and have agreed upon the following REPORT:

YOUR Committee proceeded, in the first instance, to inquire into the state and condition of the Prisoners who were formerly confined in the Penitentiary at *Milbank*, and who, since the last meeting of Parliament, had been placed on board different prison ships at *Woolwich*.

It appeared from the evidence of the Governor, and the different medical officers under whose charge they were, that great amendment had taken place in the general health of the Male Prisoners; the disease which prevailed to so alarming an extent last year had gradually subsided, and on the 4th of March, out of 467 males only 39 were in the infirmary. From the manner in which these Male prisoners were confined, and the state of idleness in which they were kept, it not being possible under the Act of Parliament to employ them in the dock-yards at *Woolwich* or elsewhere; from the large numbers confined together on the same deck, thus precluding all classification even to the extent that takes place in the ordinary hulks, a great relaxation of discipline took place; the result of which was riot, mutiny, attempts at escape, insolence to the officers, and all those acts of insubordination, which large masses of men and boys kept together unemployed are sure to commit. Though Your Committee were informed, that the persons committing these various offences formed but a small proportion of the convicts confined on board the prison ships, yet they deemed it expedient that no time should be lost in amending the defects of the law, in respect of the employment of the prisoners on shore, and also that they should be placed under the same authority and control as those who are confined on board the ordinary hulks. Accordingly an Act of Parliament has been passed to effect these purposes, and a considerable number of the prisoners have since been conveyed to work in the dock yards of *Chatham* and *Sheerness*. Some are employed at *Woolwich*, and a few of the most deserving have received His Majesty's free pardon. Your Committee think that this measure of grace is most just and politic. Most of the prisoners who had been confined for years in the Penitentiary, had been accustomed to lead a life of regularity and retirement, employed in useful labour all the day, working either alone in their respective cells, or associated together in small societies under constant inspection and control; their conduct strictly and unremittingly watched, moral and religious instruction abundantly bestowed; to many of these persons the promiscuous union of prisoners of all characters and ages, the shame of public exposure, the diminished order and discipline; and above all the absence

of individual seclusion and retirement, must be great and serious additions to their punishment. In addition to this change in their situation, almost all the prisoners had suffered the pains of long and repeated attacks of illness, brought upon them by no fault of their own; and thus they became entitled to all the compensation their situation enabled them to receive. Your Committee highly approve of the remission of sentences which has already taken place; and in those cases where the prisoners from good conduct have merited such favour, they feel assured the mercy of the Crown will be exercised with that liberality and justice which have hitherto marked its distribution.

Your Committee found with regret that the sickness among the Females had continued to exist in a greater degree, both in amount and in severity, than among the Male prisoners. On the 4th of March last, out of 167 women, 53 were in the infirmary; and though the disease was of a milder character, yet it was of the same nature. The spirits of these wretched prisoners were stated to be broken down; the relapses were frequent, and their present condition was described as most unfavourable to the ultimate re-establishment of their health.

Your Committee have learnt, with pleasure, that a large proportion of these prisoners have received His Majesty's pardon; and the few who remain on board one of the ships, will probably have been restored, by the Royal mercy, to their friends, by the time this Report shall be presented to the House.

The next subject to which Your Committee directed their inquiries, was the important consideration, whether there was any thing in the spot on which the Penitentiary is situated, or in the construction of the building itself, or in the moral or physical treatment of the prisoners confined therein, which might render them peculiarly liable to disease, or to the attacks of any complaint of a similar character to that which has lately prevailed to such an extent among them. To this subject Your Committee gave their most earnest attention, and they refer to the Evidence annexed to their Report, to show the scope and nature of their inquiries. Upon a careful review of all the Evidence which has been submitted to their consideration, they are of opinion, that prisoners may, with safety to their health, be admitted into the Penitentiary; but they recommend, from the known liability of persons afflicted with this disorder to relapse, and the consequent difficulty of distinguishing between relapse and original disease, that none of the prisoners who were confined there during the progress of the late epidemic, should be re-admitted.

In the course of the inquiry instituted by the Committee on the Penitentiary, which sat during the last session of Parliament, many alterations and improvements were suggested, which it was considered as expedient to make in the structure of the building, and in the management of the institution. Since that period, several of these improvements have taken place.

1. The Ditch which surrounds the whole building, has been made to communicate with the Thames, thus, if necessary, to receive a change of water twice in every twenty-four hours.

2. In order to obtain increased Warmth, during the winter, in Pentagons 5 and 6, additional stoves have already been placed, and a change is about to be made in the distribution of the heat in Pentagons 3 and 4, which will remedy that deficiency which has heretofore been complained of.

In respect to Food, it is proposed to give to the future inmates of the establishment, a full and nutritive diet, both as to quality and amount, equal to that which they enjoyed prior to the adoption of the new dietary, in August 1823.

With regard to Exercise, two more crank mills, and two additional machines for raising water, have been constructed, so that twice the number of prisoners, formerly set to hard labour, may now be so employed, and both classes may perform work of that description daily ; which alteration in the occupation of the prisoners will, in the opinion of Your Committee, be highly advantageous.

As to Ventilation, it appears, by a report made to the managing Committee of the Penitentiary by their architect, Mr. Smirke (which will be found in the Appendix to this Report), that various improvements have been suggested on this head by Sir Humphry Davy, who took the trouble of inspecting the Prison repeatedly with this object. Of these improvements, such as relate to the increased ventilation of the cells, and to a free circulation of air through the court yards, are already nearly completed in a part of the Prison ; and Your Committee are informed, that Sir Humphry Davy, who has viewed these works in their progress, approves of the manner in which his suggestions have been acted upon. Your Committee have no doubt that the remainder of his recommendations will be executed in a manner equally satisfactory.

In the Report which the Committee on the Penitentiary laid before the House, during the last session of Parliament, some reference is made to the propriety of shortening the duration of the term of imprisonment. Under the present system, those who have been capitally convicted are imprisoned for ten years ; those who are sentenced to fourteen years transportation, for seven ; and all seven years cases, for five. Thus, ten is the maximum, and five the minimum, of the terms of confinement. Your Committee concur in the propriety of shortening the former of these terms ; and submit, that confinement for seven years, is a term sufficiently long to answer all practical purposes of reformation or example.

Your Committee feel disposed to recommend, that where the prisoners conduct themselves particularly well, they should receive their discharge, by pardon, some short period prior to the termination of their legal punishment. The prisoners appear to set a high value on this mode of release, considering it as a testimonial of character, satisfactory to their feelings, as well as to those of their friends and relatives. Your Committee see no objection to the adoption of this plan ; it will be an addition to the stock of rewards and punishments : and they think, that considerable advantage may be gained by a judicious application of the power of pardoning during the last year of the prisoner's confinement.

Your Committee recommend that this establishment should be more intimately connected with the other secondary punishments of the country than it is at present. By the law, as it now exists, the moment a prisoner enters within the walls of the Penitentiary, he remains there till the period of the expiration of his punishment, unless the mercy of the Crown should shorten its duration. Your Committee wish to suggest, that upon complaints of repeated misconduct from the Managers of the Institution, the Secretary of State for the Home Department should have the power of removing any prisoner complained against, to the hulks, or, if it should be thought fit, to New South Wales.

Your Committee wish to repeat here, the observations which were made by the Committee of last year, upon the class of criminals, to the reception of whom the Penitentiary ought, as much as possible, to be limited; it should consist of young persons; adults of both sexes convicted of first offences; or of others who, from early habits and good character, or from having friends or relations to receive them at their discharge, afford reasonable hope of their being restored to society corrected and reclaimed by the punishment they may have undergone. Your Committee have no reason to doubt, from the knowledge which has already been gained upon this subject, that many prisoners, under the wholesome discipline of the institution, could be restored to their respective stations in life; and they refer particularly to the evidence of Dr. Bennett, the chaplain, as furnishing proofs, and hitherto very favourable results have been obtained.

Your Committee wish also to suggest, what appears to them to be an improvement in the system of Schooling: after the labour of the day, there are lost in summer and winter, hours that might be given to the acquirement of reading and writing; in the winter season, the galleries of each division might be lighted up, and the business of the school carried on with great facility under proper regulation; and as a reward to good conduct, candles might be allowed in the cells, habits of reading might be formed and encouraged; and the monotony and dreariness of a long winter night might be broken in upon, with great benefit to the religious and intellectual acquirements of the prisoners. This privilege Your Committee wish to be given as a reward of merit, and of continual good orderly conduct.

Referring to the evidence of Sir Gilbert Blane and Sir Henry Hallford, on the effect of cheerfulness and innocent recreations upon health, Your Committee wish to throw out, for the consideration of those who manage the Penitentiary, whether it might not be proper that a greater degree of personal relaxation should be allowed to the prisoners than is enjoyed by them under the present system; and whether some kinds of games or sports might not be permitted in the prison during a portion of the day. Your Committee feel disposed also to throw out for consideration, that, in addition to the books already permitted by the regulations of the Penitentiary, the Chaplain might, at his own discretion, indulge the prisoners with the use of such works as may combine rational amusement with religious and moral instruction,

11 June 1824.

A P P E N D I X.

Appendix (A.) MINUTES OF EVIDENCE.

Mercurij, 3^o die Martij, 1824 :

<i>Captain Benjamin Chapman</i>	- - - - -	p. 9
<i>Mr. Robert Kellock</i>	- - - - -	p. 15

Jovis, 4^o die Martij :

<i>Captain Benjamin Chapman</i>	- - - - -	p. 16
<i>The Rev. Dr. Bennett</i>	- - - - -	ibid.
<i>Mr. John Pratt</i>	- - - - -	p. 23
<i>Mr. Thomas Bayles</i>	- - - - -	p. 26

Veneris, 5^o die Martij :

<i>The Rev. Dr. Bennett</i>	- - - - -	p. 29
<i>Peter Mere Latham, M. D.</i>	- - - - -	ibid.

Lunæ, 8^o die Martij :

<i>Peter Mark Roget, M. D.</i>	- - - - -	p. 38
<i>Mr. John Pratt</i>	- - - - -	p. 45
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Jovis, 11^o die Martij :

<i>Alexander Copeland Hutchison, M. D.</i>	- - - - -	p. 46
<i>Clement Hue, M. D.</i>	- - - - -	p. 55
<i>William Macmichael, M. D.</i>	- - - - -	p. 62

Veneris, 12^o die Martij :

<i>Henry Herbert Southey, M. D.</i>	- - - - -	p. 66
<i>Mr. Thomas Nixon</i>	- - - - -	p. 72
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Mercurij, 17^o die Martij :

<i>Mr. George Duplex</i>	- - - - -	p. 81
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<i>Sir Gilbert Blane, M. D.</i>	- - - - -	p. 83

Veneris, 19^o die Martij :

<i>Sir Henry Halford, M. D.</i>	- - - - -	p. 89
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SECTION showing the comparative Level of the Buildings of the Penitentiary,
and of the River a High and Low Water.

Appendix (B.)

PAPERS LAID BEFORE THE COMMITTEE.

N° 1.

Report by George Holford, Esq. notifying arrangements for removal of the
Convicts;—with sundry Documents; numbered 1 to 10 inclusive - p. 91

N° 2.

Abstract of the number of Prisoners to whom any delivery of Chalk
Mixture, or Chalk Powders, has taken place, 1816—1823 - p. 105

N° 3.

Report of the Committee of the General Penitentiary at Milbank, p. 106

N° 4.

Letter from Mr. Robert Smirke to George Holford, Esq. M. P. Visitor,
General Penitentiary, Milbank; dated Stratford Place, March 25th,
1824 - - - - - p. 112

N° 5.

The total Number of Male and Female Prisoners, received into the Peni-
tentiary since February 1823 - - - - - p. 113

N° 6.

The Number of Officers, with their Families and Servants, residing in
different parts of the Building - - - - - p. 114

GENERAL PLAN of the Penitentiary Building.

A P P E N D I X.

Appendix (A.)

MINUTES OF EVIDENCE.

Mercurii, 3^o die Martii, 1824.

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

Captain Benjamin Chapman,

Called in; and Examined.

WHAT Situation do you at present hold in the Penitentiary?—I do not know well how to describe it; but those are the Instructions under which I act.

*Captain
Benjamin Chapman.*

[The witness delivered in the same, which were read as follows:]

(March 3.)

“Instructions for Captain Chapman, considered as remaining in charge of the building at Milbank, and in the command of such officers as continue there, although the formal appointment of governor of the Penitentiary is transferred to Mr. Kellock, the acting governor of Woolwich, and as exercising certain other powers delegated to him by the Committee.

“1st. Captain Chapman will explain to the officers now remaining in the Penitentiary, that they are to observe the same rules and regulations, and to pay the same deference to his directions as heretofore, and he will report any want of conformity on their part to his directions to the committee, or visitor, without delay, suspending such officer of whom he has reason to complain, if he shall see occasion.

“2d. He will see that every part of the prison is kept in good order, as well as all the articles attached thereto, such as the mills, machinery for raising water, steam engines, locks, &c. &c.; will make such arrangements as may be necessary for the supply of water for the families resident within the walls of the prison, and for supplying such of the inferior officers as continue there with their accustomed rations.

“3d. He must consider the female convicts in the Regent's Park as still under his care, until their removal to the *Desirée**, it being impossible that the governor appointed to reside at Woolwich can exercise any interference in the Regent's Park; Captain C. will therefore visit the prisoners there from time to time, directing the matron by his advice in all cases in which she has authority to act, and communicating without delay to the committee, or visitor, in cases where further authority may be necessary.

“4th. He is also desired to give Mr. Kellock his advice and assistance in the arrangement connected with the management of the establishment at Woolwich, particularly of that part which is composed of Females, with which Mr. Kellock is of course not conversant, and the chief officers of which have earnestly desired to have the advantage of seeing Captain Chapman occasionally on board their respective ships.

* The Heroine was afterwards substituted for the *Desirée*.

Captain
Benjamin Chapman.

(March 3.)

" 5th. As it is not desirable that Mr. Kellock should leave his post to come up to Milbank, to attend committees, (unless he may wish to do so, on particular occasions) he will send up his weekly reports of the ships and his own journal to the Penitentiary, directed to Captain Chapman, who will look over them, (except that from the chaplain, which should be sealed up and directed for the committee) and will lay before the committee, with such remarks as may occur to him, and with such reports as he may think fit to make himself, on the state of the establishment at Woolwich; as the committee or visitor cannot have many opportunities of going down to Woolwich, it will be desirable that Captain Chapman should inspect the ships there as often as he can make it convenient so to do, and should lay the result of such inspection before the committee.

" 6th. He will also superintend the fumigation of the prison, under the advice and with the assistance of Mr. Faraday of the Royal Institution."

" Robert Auld, Sec'."

In consequence of those instructions, did you repeatedly visit the ships at Woolwich?—Repeatedly; three times and sometimes four times a week; I have in this book a journal of all the occurrences that have taken place since I have acted under those instructions.

Will you be so good as to put it in?—[*The witness delivered in the same.*]

What are the names of the ships in which the prisoners who were in the Penitentiary are placed?—There are four ships; two appropriated to the men, and two to the women.

What are their names?—The Ethalion and the Dromedary are the men's ships, the Narcissus and the Heroine the women's ships.

What number of prisoners are there on board each ship at this moment?—In the Dromedary there are 256, in the Ethalion 211, making 467 men; in the Narcissus 83 women, and in the Heroine 84 women, making 167 women; the total of men and women being 634.

What was the general state in which you found the prisoners on your various inspections as to moral conduct?—With respect to their conduct, at first the men who were sent merely as an experiment, conducted themselves, generally speaking, (under all the circumstances of difference of treatment) very well, until the unfortunate circumstance of the death of Mr. Lodge, who was the taskmaster of pentagon 6 in the Penitentiary, and went down as master of the Ethalion, and was unfortunately drowned in the execution of his duty on the 5th of November, after which they did not behave so well, the person who was put in charge not being possessed perhaps of the same knowledge on the subject.

How were they classed on board ship?—We had no classing there; the distinction of classes, as existing in the Penitentiary, was done away with, as well as the dresses; their motley dresses were taken from them and they were all dressed in a coarse brown clothing; in the first place, the Ethalion was simply divided into the upper and lower deck, and a division made for an infirmary; the worst cases being those that went down.

You mean the worst cases as to health?—Yes; and therefore the upper deck was divided into two divisions, one was for an infirmary and the other as a ward; the lower deck of the Ethalion was not divided at all, which made too many together, to have proper control over them; that was altered in the subsequent ships; and in the Dromedary both decks were divided into two parts, making, in the whole, four divisions.

How many persons were in each division when the ships were divided into four?—The infirmary was generally kept, as much as it could be, for the reception of the sick; in the Ethalion there were three divisions, inclusive of the infirmary, which was meant for the worst cases, and then at first there were about 200; there were about 100 on the lower deck, and the other 100 were divided between the infirmary and the upper deck; that is speaking in round numbers, I cannot say exactly without reference to the returns of those days.

When they were divided into three, they were about 75 in each division?—No; the lower deck of the Ethalion had about 100, or from that to 110; and the number in the two divisions above, together, might be about another hundred.

As to the Dromedary?—There they were divided into four divisions; in the Dromedary there were 256; an infirmary was taken out of that, then divide that by three, and it will give the number in the decks nearly in round numbers.

Each

Each person has a separate hammock?—Yes.

Was there a wardman in each division?—Yes; there were wardmen, and there were also a number of prisoners selected for good conduct to keep watch; they kept watch, and they were to report any irregularity that might occur during their watch.

Captain
Benjamin Chapman.

(March 3.)

Have the convicts any employment?—None, unfortunately; we tried them in making a few great coats, but from a variety of causes it did not succeed; they could get no employment on shore, and even if they could, there was a doubt whether, by the Act of Parliament they might be legally employed on shore; but, however, it could not be done, at all events, as there was no work for them.

So that in fact the ship was considered in the nature of a house of recovery?—Quite so; the whole of the prisoners were under hospital treatment.

What was their general conduct?—Their general conduct, I am very sorry to say, was quite different from what it was in the Penitentiary; they were unruly to a degree, and in some instances, to the extent of mutiny.

Point out in your journal any particular instances of misconduct which are there mentioned?—I will read one instance from the journal:

“On the 5th of January last, at five o'clock P. M. Doctor Bennett gave me the following written statement from Mr. Parr, master of the Ethalion, viz.

“Ethalion, 5th January 1824.

“This morning, soon after the lower deck prisoners were let up to wash themselves, three of them, viz. E——, W——, and S——, attempted to make their escape by getting down the ship's side, and then into the waterman's boat, which was alongside without oars: They being observed by William Jaques, (then on guard on the gangway) E—— and W—— returned, whilst S—— strove to make his escape; he was pursued by turnkeys Betts and Rowland, who took him and brought him back, when he was placed in confinement; shortly afterwards, S—— with M—— (who had been previously in confinement) were liberated by their fellow prisoners of the lower deck, by forcibly entering into the hold and making their way through the bulk head which separates the dark cells from the hold, they have the prisoners now in their possession and will not deliver them up; they continue to be in a state of mutiny.

(signed)

“J. Parr.”

Doctor Bennett added, That Mr. Parr lost no time in reporting this to Mr. Kellock, the governor, who repaired instantly on board the Ethalion, when he found all the prisoners of the lower deck ranged on the upper deck with S—— and M—— in their possession, whom they peremptorily refused to give up; on which Mr. Kellock went to the marine guard room for military aid; that during his absence, both Doctor Bennett, and Mr. Bayles the surgeon, (who happened to be on board) used every effort to persuade the prisoners to give up M—— and S——, pointing out to them the dreadful consequences of their refusal, should the military be called upon to act; all this had no avail, and even when the guard of the royal marines came on board, and Mr. Kellock informed the prisoners they would be fired on if they persisted in their mutinous conduct, they continued inflexible, till at length Doctor Bennett and Mr. Bayles finding their entreaties of no avail, were about to quit the ship, unwilling to witness the shedding of blood; Doctor Bennett made another effort, and at last prevailed on them to give up M—— and S——, which they did accordingly, and expressed their sorrow for such atrocious misconduct. Then Mr. Kellock's report upon the subject follows that, which is nearly the same over again.

What took place in consequence of that disturbance?—Those two men were then confined, but nothing was done to the others beyond general exhortation; I went immediately and mustered them all upon the decks, and spoke to them, and they promised to conduct themselves better in future, and so the matter passed over.

Are there any marines on board?—Not now; there was an application made from the Secretary of State to give occasional assistance when required; the officer commanding the guard in the dock yard, has orders generally to give military aid when the governor requires it; there have been only three instances in which it has been required.

Turn to any other instance?—There is one so late as the 18th of February; this is Mr. Kellock's report, which I will read.

[The witness read the same, as follows:]

Captain
Benjamin Chapman.

(March 3.)

N^o 2,526.

Dromedary Hospital Prison Ship, Woolwich, 18th February 1824.

Sir,

THIS morning at 12 o'clock, on my return from visiting the other ships, Mr. Goodfellow the steward, reported to me, that some of the prisoners belonging to the after part of the lower deck had laid a plan, and made an attempt to rescue Anthony Beacham (prisoner) from the dark cell forward, by getting down the hatchway and forcing the lock of the hatch which goes down to the cells; Mr. Goodfellow had information, and went directly forward with two guards, but before they could get there the prisoners perceived their plan was discovered and were making their retreat as fast as possible; two were in the act of getting up the hatchway, W—— and K——, and it appeared very evident from their appearance and *character* that they were the two principals: I went down to examine the lock and bar of the hatchway, and found the lock nearly broken off; I asked Mr. Goodfellow what he had done with the two prisoners, W—— and K——; he said, they were in their deck; I desired him to bring them up and confine them in the dark cells; he called them, but they refused to come, nor would the prisoners on the deck allow them; I desired him to take two guards and bring them up by force directly; the prisoners on the deck refused to let them come; I desired all the guards to arm themselves and secure the hatchways; I then went down with four or five guards, armed, and took the two prisoners, W—— and K——, by force, out of the deck, and confined them in the dark cells. As soon as we were gone up, the whole of the deck (eighty-five prisoners) behaved in the most mutinous manner, and unshipped the ladder, to prevent our getting into the deck that way; some part of them broke open a part of the hatchway which prevents the communication between the upper deck and the after part of the lower deck; another part made an attempt to break down the bulk head which divides the fore part of the lower deck from the after part, they at the same time secured the door on the after part of the deck, which is intended for the guards to go in at, in the event of any disorder in the deck; during the time I was apprehensive that all the decks would be thrown into one; I immediately sent to the officer of the guard at the dock yard, for a guard of marines, which came in a few minutes; I am glad to say, to the credit of the prisoners on the lower deck forward, that they called to me, and said, the prisoners on the after part were attempting to force their way to them through the bulk head, and said, they were determined to resist them, which they did. When I received the guard, I gave them charge of the deck, and proceeded with our guards to force our way into the lower deck aft; we found no access in the regular way by the hatchway or door aft, the ladder being unshipped, and the door secured; I ordered a blunderbuss (without shot) to be fired down the hatchway, to clear away, and made an attempt to ship the ladder, but could not, they had got it so well secured, nor could we get into the deck that way; I then had recourse to the door aft, and was obliged to use the saw, axe and crow-bar before I could force it open, and got into the deck amongst them, and with the assistance of the officers and guards, selected some of the ring-leaders, seven in number, and put them into the disorderly ward, on bread and water, and ironed them on both legs; they continue disorderly. Prisoner N—— gave information to Mr. Goodfellow, that the prisoners were in the act of opening the hatchway to rescue B——. N—— is an inmate of the after part of the lower deck, and went down at the usual time, and was not aware that they knew any thing of it until about half past seven o'clock, when the prisoners on the deck put out the lights and began to use him very ill, at which time a noise was heard in the deck, and inquiry made, and I found it quite necessary to remove him; all has been quiet since; I beg to say, J—— does not appear so much to blame as the others; when I went into the deck, the whole of the prisoners were in a very strong perspiration from the very great exertions they had been making to force the bulk head.

I have the honour to be, Sir, your most obedient servant,

To George Holford, Esq. M. P.
Visitor, General Penitentiary, Milbank.

Robert Kellock.

Have

Captain
Benjamin Chapman.

(March 3.)

Have you had many accusations laid before you of alledged offences, which have taken a considerable portion of your time in examining?—A great many.

Of what nature?—Some of them were offences that may be supposed—unnatural offences; one particularly, which occupied a great deal of time, of a most horrid nature.

Were you able to ascertain whether the allegations were correct?—We have the strongest possible presumptive evidence of it.

Only in one instance?—There were two instances, and strong suspicions of others; but two flagrant instances.

What are the other offences?—Insubordination to a great extent; so much so, as striking the officers of the ship; pilfering from one another, and getting things on board that they ought not to get.

Have you any account of the number of punishments that you have been obliged to inflict?—They are stated in the Misconduct book; all the punishments that took place in the establishment generally.

Can you state to the Committee the sum total?—It is not added up; but a list can be furnished.

What sort of punishments were inflicted?—There are but two sorts of punishments. One the confining in what are called dark cells, upon bread and water; the other, confinement in a part of the Dromedary, fitted up for what is termed a disorderly ward, where a certain number may be placed on bread and water, and ironed if necessary; those are the only punishments.

Generally speaking, they are without irons?—They have no irons, except in case of punishment.

Was the church service regularly performed every Sunday?—Regularly.

Any service on week days?—Yes; the chaplain goes down generally every second day, since Dr. Bennett has taken charge of the establishment, which he did upon the whole of the prisoners being removed from the Penitentiary; there are regular services on Sunday.

How is the church service performed?—Remarkably well indeed; I myself received the sacrament in one of the ships, on Christmas day; a friend of Dr. Bennett's officiated for him, and he was so pleased with their manner that he was quite struck with it; nothing could be better; not a voice to be heard, except at proper times, in the responses.

From your knowledge of the persons whom you have had under your care in the Penitentiary, did you see any great change of character in persons whom you used to consider orderly and regular?—Very much so; persons whom I considered very orderly and regular in the Penitentiary, became irregular in their conduct, from the promiscuous intercourse that they had with persons not so well disposed.

Of course, that observation extends more to the young than the middle aged?—There is scarcely an instance of very orderly conduct among the young ones; but certainly, when they came to be more at large they were remarkable for disorderly conduct.

In truth, the illness that had prevailed so long in the Penitentiary had affected very materially the discipline?—Very materially; for the dormitories were devoted to temporary infirmaries, where they were more together, and where the usual discipline was very much relaxed; but still, every thing considered, they conducted themselves wonderfully well; there were but few instances of punishment; there was one rather of a serious nature, and there were ten or twelve of the refractory prisoners taken away and placed in confinement for some days, after that they behaved very properly; when they knew that they could be coerced.

In point of fact, have any escapes taken place?—Yes; there were nine escaped, five of the nine we have retaken; indeed, one, I should say, we have not retaken, because he gave himself up, one of the name of K——; but nine individuals have escaped, and five of the nine we have recovered.

How did they escape?—In the first instance, there were three men; one of the name of S——, who is to be tried to-morrow for it; one of the name of K——; and one of the name of P——; they got through the deck into the store room, the windows of which were not well secured; S—— had been employed in the store room out of which he got; he is a sailor and acquainted with the construction of ships; he had made a rope of some spun yarn and let himself out of the stern window, and swam down till he got to the sheer hulk, which lay about forty or fifty yards astern of the Ethalion; there was a boat alongside with oars, which he possessed himself of, then hauled himself up under the Ethalion by the rope, and then the

Captain
Benjamin Chapman.
(March 3.)

other two prisoners dropped into it, when they got away; K——, two or three days afterwards came back again; he went to his friends, and his brother had the good sense to tell him, "the best thing you can do, is to give yourself up;" he did so, and upon his information S—— was apprehended; the next instance was in the night, three men got over the ship's side, and got the waterman's boat, which was not properly made fast, and though it was without oars they drifted off and got ashore, and one of those three was retaken; the next instance was in the middle of the day, the men were upon deck, and three of them contrived to creep over the side and got into a boat, and drifted over to the Essex coast, they were perceived and pursued, and after considerable difficulty, two of them were secured; that was the last instance.

How have the women in general conducted themselves?—Generally speaking, very well; but more particularly those who were at the Regent's Park, and who are now on board the *Heroine*; they have conducted themselves with the greatest decorum and propriety; they were very ill at the Regent's Park, and they are not now materially better; perhaps they have not been long enough to derive benefit from the removal; they are suffering from illness very much at this moment; their conduct has been excellent.

The women of course have employment?—Yes; they work when they are well; they work at their needle as they would do in the Penitentiary; the men, for want of employment, have made games, such as draft boards and dominos to a considerable extent, and also cards; in one instance, the very prayer books that were given to them for another and a better purpose, they made cards of them and their copy books.

Is there any possibility of giving employment to the male prisoners, sufficient to counteract the evil effects that you apprehend from want of employment?—I am quite certain, want of employment is the great evil; but we tried them with some tailoring work which did not answer; in the first place, we did not like them to be trusted with shears and scissars, and there was a difficulty about pressing the work; and in fact there was a disinclination on the part of the prisoners to work at all; with respect to working on shore, we cannot get work for them, and even if we could, there is a great doubt whether they can be legally sent on shore.

Was the situation of the convicts on board the hulks such as to prevent the usual recourse for employment?—Yes; the lower decks are so dark in the winter months, that they could not see to work even if they had work to do; they mend their own shoes, that is the only work that can be done; the repairs of shoes and clothes are done on board, and they wash their own things of course, that employs only a very few.

What is their general state of health?—Amongst the men very good; the improvement was very great indeed.

Has it continued in the same improved state?—At this moment they seem to be very well, but are liable to relapses from the vicissitudes of the weather.

Has the complaint which prevailed in the Penitentiary, and which made so much talk, existed in the same degree, or in any degree?—The bowel complaint was nearly obliterated in the *Ethalion*, but the Committee will have before them the person that attended the Penitentiary ships.

Of what description has their sickness been since?—Severe cold and rheumatic complaints, which many of them caught from the draughts on board ship; there was more air than they could bear, still the bowel complaint occasionally shows itself.

You mentioned that two or three instances had occurred on board the hulks, of crimes of a particular nature, did not the prisoners, speaking of them as a body, hold them in abomination?—Completely so; and I am satisfied that if the perpetrators had not been confined, they would have been seriously injured by the other prisoners.

Was there not an instance of a regular trial among themselves?—Yes; and the man was sentenced to be very severely punished.

With all the forms of a trial?—Yes; they were assigned counsel, or they defended themselves, and the judge regularly summed up the proceedings, and punishment was awarded.

The punishment awarded was what the soldiers call cobbing?—Yes, something of that sort.

Mr.

Mr. Robert Kellock, called in; and Examined.

Mr.
Robert Kellock.

(March 3.)

WHAT situation do you at present hold?—Governor of the Penitentiary ships. Governor of both the men's ships?—Of the whole four.

Do you reside in any of them?—I reside in the Dromedary.

That is a male convict ship?—Yes.

Were you employed before as governor of any hulk?—I was chief mate to a hulk ten years.

In what establishment?—Under Mr. Capper.

Where?—At Sheerness latterly.

What was the general conduct of the convicts, beginning with the male convicts, since they have been under your care on board the Dromedary and the Ethalion?—In general very disorderly.

What do you mean by the word disorderly?—No vessel hardly can pass, but from time to time they are hallooing to them, and they are not very orderly in their conduct to their officers in general, when they are desired to do any thing, or to move from below, or to go down off the deck.

Have any instances occurred of their striking the officers?—Yes; I think there have been two or three.

The Committee understand you to say, that there is a general unwillingness to obey the orders, and a disposition to be riotous and turbulent?—There is.

When the officers go down below to search, are they obstructed at all in the execution of their duty?—They are, frequently; I have been myself more than once.

Do they not now and then lower the ports upon them, to put them in the dark?—They have done that while I have been there.

You say, you were mate in one of the principal hulks at Sheerness?—Yes.

Did those occurrences, which you state ordinarily take place on board the convict ships which you have now under your command, take place at Sheerness?—No, never.

To what circumstance do you attribute the difference of conduct of the two sets of prisoners?—In the hulks there are men that have been there some time, some four years, some three years, some two years, some one year, and some six months, and they are all in good order; the new ones come into the rules and regulations, they see the conduct of the others, and they conform in every respect as they see those that have been before them.

Are they not always confined in smaller divisions on board a hulk than in the present establishment?—They are.

What is the greatest number that you have in each division on board the hulks at Sheerness?—Fifteen.

What is the largest number you have in the smallest division now at Woolwich?—Seventy-five.

Are there not, in the Justitia, larger numbers placed together?—There are.

Are not the convicts on board the Justitia less orderly and regular than the convicts on board the other hulks where they are in smaller divisions?—From the information I have had, I think they are; they are not so orderly there as they are on board the other ships.

On board the other hulks there is a daily and constant employment, is there not?—There is.

Do you think the absence of all employment of the prisoners under your care, is one of the principal causes of the state of insubordination in which they are?—I do.

Is there not at Sheerness employment within the ships themselves for some classes of prisoners?—There is; they are employed in different ways, for themselves principally.

The young particularly are employed in making shoes, are they not?—They are.

Had you more extensive means of punishment in the hulks at Sheerness than you have at Woolwich?—We had.

How do you punish them at Sheerness?—We put them in dark cells, on bread and water, with irons; and sometimes we two put pair of irons on them; and flog them.

Corporal punishments are rare at Sheerness, are they not?—Very rare.

Have you not inflicted a greater number of punishments on the convicts that you have now under your care than you did on the same number of convicts at Sheerness?—Yes.

What is the report which you now make of the conduct of the prisoners under your

Mr.
Robert Kellock.

(March 3.)

your care at the present day; how have they conducted themselves in the last week?—Very indifferently indeed; they are crowded together in that kind of way that we cannot come to a knowledge of their actions; we cannot distinguish who is the person that is guilty of any misconduct.

Upon deck how do they conduct themselves?—Much the same as below.

Do they use insulting expressions and oaths?—Yes, frequently.

They are very insolent to the officers in manner and gesture and expression?—It is very rarely that they comply with the orders of the officers.

Has there not been an instance lately, in which an officer going from the ship, or coming to it, has been hissed or pelted with coals?—Yes, there was.

Have you been obliged to put many in irons?—We have put some in irons.

Has the disorderly ward been of much use?—No, it has not.

How many will the disorderly ward hold?—Fifteen, or twenty.

What is the greatest number you have ever had in it?—Ten.

Have those that have been put in irons become more regular in a short time?—Those that have been put in irons are very disorderly, and do every thing that is bad.

Have you among them some good men that you can point out?—Yes.

Do you think there is a large proportion of men that would be well behaved if the others were removed from them?—I do think there is.

Have you found, amongst those men, a disposition to tell you what was going on among the prisoners, and to make you acquainted with things that you could not see or hear?—There is a disposition in some of them, but it is very dangerous; if it is discovered I cannot suffer them to go on deck; there was one instance where I was obliged to interfere, and took him almost senseless off the deck.

With respect to the Females, how do they conduct themselves?—Very fairly indeed.

They are, in general, orderly?—Very orderly; I have not heard any complaints since I have been there.

You have not been called in by the Matron to exert your authority?—In the *Narcissus*, I have.

That was before Mrs. Wilkinson went down?—Yes.

What was the nature of the complaint that the matron made against those women?—Striking one another and pulling each other's hair.

Trifling quarrels among one another?—Yes.

Have they more means of employment than the men?—They have.

In what way are they employed?—In making shirts and in needle work.

The women in general were employed?—Yes.

From whence do they get that employment?—They have it from the Penitentiary.

Are they in the same large communities as the men?—Yes, they are.

Do you know whether the prisoners generally would wish to return to the Penitentiary?—I believe not.

None of them, either male or female, would wish it?—I believe not.

What do you conclude that from; is it in consequence of what you heard them say?—From what I have heard them say.

Do you think that a considerable proportion of them would prefer the common hulk labour, or to go to New South Wales, to returning to the Penitentiary?—I have had an application from several of them to go to New South Wales, and many of them wish to go on board the hulk.

Your rules with regard to seeing friends and having articles brought in to them, are very different from those on board the other hulks?—Yes.

You speak of the males only as desiring to be sent to New South Wales?—Males only.

What difference did you observe in the health of the prisoners, while confined on board the ship, from what it was in the Penitentiary?—They have improved very much.

Has that bowel complaint been as prevalent on board the ship as it was in the Penitentiary?—No, it has not.

Jovis, 4^o die Martij, 1824.

THE HONOURABLE HENRY GREY BENNET,
IN THE CHAIR.

Captain *Benjamin Chapman*, again called in; and further Examined.

DO you consider the number of officers that you have on board the ships as sufficient to keep the prisoners in proper order?—The number of officers at present I suppose is sufficient; because Mr. Kellock has had an authority from the committee to have as many as he thought requisite, and he has employed lately an additional number; and, therefore, I suppose the number at present employed is quite sufficient.

*Captain
Benjamin Chapman.*

(March 4.)

Have the officers belonging to the establishment made any complaints?—The officers belonging to the establishment at the Penitentiary, that went down in the first instance, all complain; and have frequently expressed to me their intention of resigning, unless they were brought back again ultimately to the Penitentiary.

The Rev. *Samuel Bennett*, D. D. called in; and Examined.

HOW often have you been in attendance at the ships since their establishment?—Three times a week since the 16th of November last; I have been, however, in the habit of visiting one of the ships (the *Ethalion*) from the latter end of October.

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Dr. Bennett.*

(March 4.)

What has been the general conduct of the prisoners on board those ships?—The conduct of a great many has been very good, and of very many bad.

Were those persons who conducted themselves ill, persons whose characters were known to you before, in the Penitentiary, as bad people?—Not all; may I be allowed to read a remark which I had occasion to make in my journal. Their conduct in general from November to December, was pretty fair, but on the 5th of December I made this remark in my journal; “I had some conversation with several prisoners, and in the *Ethalion*, particularly, with a prisoner of the name of ——— and from their statement it appears, that the spirit of insubordination which manifested itself last Monday night has not been entirely subdued; the well behaved prisoners appear afraid of their companions, and think that there are about twenty or thirty disposed for any mischief and outrage, and also that neither themselves or the officers would be free from danger whilst those refractory characters remain on board the ship. The officers of the ship appear to entertain a similar opinion.” The next remark is on December the 7th (Sunday); “During the time of divine service the male prisoners on board the *Ethalion* were very attentive and perfectly quiet, which was more than I expected from the noise I heard when entering the deck of the ship. The language was dreadful before they perceived my entrance into the deck, but I am satisfied it was confined to about 20 or 30 men, of whom the well disposed prisoners seem much afraid, and aware of their being inclined to any mischief. It is evident that there is a sad spirit of insubordination amongst several of the prisoners, and which is as alarming to the orderly prisoners as it is to the officers.”

That is your own private journal?—It is.

Have you any other remarks of the same nature and character, of a more recent date?—I found them on the 5th of January in a state of mutiny on board the *Ethalion*, so much so, that they were obliged to send for the military.

Do you know what was the cause of that disturbance?—Yes; there was a boy of the name of ——— who was under confinement, and they took upon themselves to say, improperly so, and had therefore taken him by force out of the cell in which he was confined; and I think once before they did the same. I told them of the impropriety of their conduct, and after being with them two hours, till I became almost exhausted, they at last gave up the boy.

Is there any disposition among the prisoners to complain of the officers without reason?—There is; and it has almost always appeared to me without reason.

Have you any remarks in your journal upon that subject?—Yes, I think I have; once I thought there was a little disturbance that originated from the impetuosity of one of the officers of the ship. But on January the 4th, Sunday, I have this remark in my journal. “The prisoners on board the *Ethalion* were very attentive during

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the time of divine service this afternoon ; after the service in this ship, a considerable number of prisoners assembled in the outer deck, and requested to speak with me ; on hearing them, I found that they wished to impress on my mind, that they were not well treated by Mr. Parr, the master of the ship, a most active, and, in my opinion, trusty and excellent officer ; that he had placed a boy, of very bad character, in a dark cell, and had put irons on him ; and that they themselves were 'uncomfortable' in their place of confinement. I had anticipated, that the prisoners removed from the Dromedary would endeavour to dissatisfy the minds of those on board the Ethalion, who had remained very quiet ; and from the persons that addressed me, that anticipation was verified. On my remonstrating with them on the impropriety of their behaviour, and cautioning them against a similar punishment to that inflicted on ——— they appeared ashamed ; but I am fearful there are several among them much inclined to disturb the peace of that ship, which has for some time past been in an apparent state of good order."

The entry in the journal to which you alluded, related to a boy who had a blow on his head?—The same boy. An entry, on February the 19th, I will read, with the permission of this honourable Committee. "The governor gave a bad report of the conduct of some of the prisoners on board the Dromedary, and shewed me a copy of a letter he had transmitted to the visitor ; I spent a considerable time on board the Dromedary among the prisoners who had been mutinous on the preceding day ; they promised to remain quiet. I visited also all the prisoners who were confined in irons. Mr. Kellock, who is governor, has in his letter given a full statement of the conduct of the prisoners on the 18th instant ; and I cannot but lament that he should be so much insulted by them, for I am confident that he has ever acted without the least partiality, and with the greatest mildness, forbearance and prudence. Mr. Kellock seemed to think that a less blame attached to T——— than to the other prisoners ; but after the letter was written to the visitor, I accompanied him to the strong room in which T——— was confined, and the behaviour of that prisoner, towards Mr. Kellock, was most insolent ; indeed all the prisoners who were confined in irons, treated him in the most unbecoming manner."

How many were in irons?—About seven ; this was on the 19th ; on the 23d of February I made this remark in the journal. I should have stated in the account of the behaviour, as reported by the governor on board the Dromedary, a circumstance which much amused me ; on the following day, whilst conversing on the deck of the ship with the prisoners who continued disorderly on the 19th instant, I discovered that M——— one of the prisoners, a boy, had the appearance of a blow on his forehead ; I enquired what was the cause of it ? the prisoner replied, "I fell down, Sir, as I was running fast over the deck this morning, and struck my head against one of the timbers." Mr. Rahilly, who acts as assistant surgeon, happened to be near me, I called his attention to the wound ; Mr. Rahilly immediately looked at it, and informed me, that though there was a considerable swelling and blackness, yet that the wound was of no consequence, and indeed the prisoner thought little of it himself ; the boy then left me ; about a quarter of an hour afterwards, several of the prisoners came at a quick rate from a part of the deck to where I was standing, and pointed out to me this boy, in an angry and noisy tone, as having received a blow from some of the officers on the preceding evening : "look, sir, at this poor little boy, see what these butcher officers did to him last night, see what a wound they gave him in his head ; oh, how shameful to hurt such a child !" M——— stood close to me and laughed, but made no remark, and on my giving them to understand that the representation was false, M——— having previously informed me of the cause of the wound, they all sneaked away as quickly as possible, and evidently angry at M——— for having mentioned to me in what manner he received the hurt. It was obvious that they had perceived me looking at the boy, and that they were anxious to make me believe that they had been ill treated by the officers ; the other prisoners appeared to be much pleased at my detecting this group in their falsehood. It is surprising what plans some of the ill-disposed prisoners will form, and the tales they will invent, for the purpose of effecting any plans they have in view.

The Committee have understood you to state, that the general conduct of a considerable portion of the prisoners has been extremely unruly, and that the conduct of some of them has been such as to corrupt the others, who were better inclined?—Most undoubtedly ; I will not say the larger proportion of them ; it is confined to about sixty or seventy on board the Dromedary, and to twenty or thirty on board the Ethalion.

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Do you think that with the exception of those sixty or seventy persons, the remainder of the prisoners are in a fit state to return again to the Penitentiary, if they could be accommodated?—Yes, I should think so, as far as concerns their present general behaviour; but I conceive it may be doubtful how they would behave well for any length of time, the confinement being so different from that which they have experienced lately; it is nothing but the difference of confinement that has been the cause of the mutinous conduct of some of them.

The question refers to male prisoners only?—The male prisoners only; I have had several applications from them to have leave to return, and I had one particularly on Sunday last; I have the letter in my pocket, and I beg to read an extract from it in my journal. Sunday, 29th of February.—“On leaving the Dromedary this afternoon, a prisoner sent me a letter, of which the following is an extract: ‘There is much talk that the Penitentiary is going to be re-opened; if this be the case, I hope your goodness will so far befriend me as to procure me re-admission, for I am really sickened with this noisy and wretched place; a solitary cell in the Penitentiary is a thousand to one before such a place as this.’ Other prisoners among the well disposed have expressed the same sentiments.”

Do you think there are a considerable number of prisoners who would prefer returning to the Penitentiary to being removed to the hulks?—I am afraid the number would not be found very large.

Do you think that they consider the Penitentiary as a severer punishment than the hulks?—Certainly; the well disposed like the Penitentiary, because they can be by themselves at night, and in the hulks, I speak of our ships, they are all together during the night; there certainly is a large number of well disposed prisoners among them; I should not hesitate to select some servants from them.

Can you inform the Committee, that you sufficiently know the 60 or 70 whom you have named of the most unruly prisoners, that you could mark them, if you were called upon to do so?—Yes.

Are those persons principally committed for long or for short periods?—Some for long and some for short periods, but the worst are among some of those who are soon going away.

Who are within a year of their leaving?—Yes.

What, in your opinion, should you think the principal cause of that state of insubordination in which so many of them are?—Want of employment.

Have any of them expressed that to you?—Many of them.

Is there amongst the prisoners a disposition to employ themselves, if you could give them that employment?—There was at first a vast number of them disposed to work, but certainly not now; the well disposed would be glad I think of work, for they are now perpetually applying to me for books to amuse them.

At first all of them missed the work to which they were accustomed?—Yes; but very few regret the want of it at present.

They regretted the want of it?—Yes; I asked, in conversation some time ago with a prisoner, what could possibly be the cause for the difference between their behaviour and that of the men at the regular hulks; for I had been at the regular hulks, and had found the prisoners perfectly orderly, and apparently well disposed. He replied, they have something to do, but our men have nothing to do.

Do you mean by work, hard labour?—I mean the same employment that they had at the Penitentiary; they were employed there as tailors, weavers and shoemakers; and could we have the same sort of work in the ships in which they are now confined, I think there would be very little mutinous conduct; because on Sunday nothing can be more proper than their behaviour.

You mean generally to state, that you consider idleness the principal cause of their misconduct?—Yes; and there being so many congregated together. I have a remark here on that subject, dated January the 10th: “It is impossible to describe the ill effect of so many persons being congregated together; and it is painful to observe that so many of the prisoners, who were most orderly in the Penitentiary, have become so disorderly.”

Supposing they were separated into small classes, and could receive moral and religious instruction, would that keep them in good order?—Certainly.

Would that have the effect without labour, or some other mode of employment?—No; I should recommend labour, because the mind would become fatigued and tired out with constantly reading; among that description of people they want some exercise.

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How soon after their removal was that remark made?—It was on the 10th of January last, and they were removed in August I believe. I am perfectly convinced, from what I have seen of the prisoners, that with moderate manual employment and religious instruction, they may be kept in order; but without some employment, it is utterly impossible to keep them in a proper frame of mind; for they will, in a state of idleness, commit an outrageous act, which in ten minutes after they will lament and express their sorrow for. If they were employed, that would not be the case.

Have you, in any instance, found the complaints of the prisoners against the officers, founded in fact?—I have sometimes; perhaps an officer may have said a little too much, rather scolded them more than he ought to have done, without any intention of harm or ill-will towards them, and which has irritated them for a moment.

Any act of cruelty or oppression, or improper punishment?—Never.

You go three times a week?—Yes, I do.

How long do you remain on each visit?—I am there on the Sunday all day, from half past ten to about five.

You are never there all night?—No; I am there from about eleven till four, or half past three, perhaps.

You have sometimes talked of Mr. Kellock, and sometimes of Mr. Parr?—Mr. Kellock is the governor of the ships, and Mr. Parr is the master of the *Ethalion* ship, under Mr. Kellock, who resides on board the *Dromedary*.

Then there is a master on board each ship, besides Mr. Kellock?—Yes; there is a master on board the *Dromedary*, besides Mr. Kellock.

Then Mr. Kellock is the commodore of the whole?—Yes; to use their language, the commodore of the squadron.

In respect to the females, how do they conduct themselves?—Their conduct has been more orderly; I have never met with any instance of very ill behaviour among the females, except that of their calling out to persons passing by the ships, but that is done away now.

They have occasionally squabbles amongst themselves?—Yes.

But no instance of insubordination to the commands of the officers?—No; none of any consequence.

Does the matron make a favourable report of them?—Yes; she has never made any complaint at all; she says they are fretful, on account of their sickness, and give her a great deal of trouble.

Are they generally in low spirits?—Yes; the greater part of them are.

All the females that were in the Penitentiary are now on board the two ships at Woolwich?—Yes.

How did they conduct themselves when they were in the Regent's Park?—Very well I understand, from the clergyman's report of that hospital.

Are they in the same number together as the men?—No; there are 83 on board the *Narcissus*.

Upon two decks, or one?—Two decks; and 84 on board the *Heroine*; but I may say part of them are employed in the laundry, and some in the kitchen, so that they are not all in the two decks.

Are they generally employed?—Not generally, except those in the laundry and kitchen.

Have they no work?—I am not aware of it; in the *Heroine* they are too unwell to work; I should conceive they become very fretful when you speak to them, in consequence of their illness; and, on one occasion, some of them expressed themselves rather improperly to myself; but afterwards evinced their sorrow.

How do you perform the service on a Sunday to the four ships?—On Sunday last I performed divine service at half past ten on board the *Ethalion*; at half past twelve on board the *Dromedary*; at a quarter before three o'clock on board the *Heroine*; and about four o'clock on board the *Narcissus*.

Do you perform the whole service?—I give them the whole service, I never omit any part of it.

Do you preach a sermon?—Yes, I do, of about twenty-five minutes.

Do you do the whole service yourself?—The whole; I have gone on with it because I did not suppose my services for all the ship would be long required; I could not go on with so laborious a duty for any length of time, but knowing the characters of the prisoners in the ships, I thought it better, in the state they were in, to go down myself; I have had no assistance except on Christmas-day, then I was assisted by one of the late tutors of St. Peter's College, Cambridge.

Is

Is there any thing improper in their conduct during divine service?—Nothing can be better; you would suppose they were the most orderly men, and the most quiet congregation you ever saw; many of them ask me questions on religious subjects repeatedly; I attribute the whole of their misconduct during the six days in the week to the want of employment.

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Do you administer the sacrament?—Yes, I do.

How often?—I have only administered it once on board the respective ships.

How many communicants had you among the prisoners?—Ten males on board the *Ethalion* on the 23d of December, thirty females on the Christmas-day, and on the 1st of January twenty-four males; I have here the annual Report for the year 1823; of the number that have received the sacrament in the whole year.

Is not that contained in the official Report to the House of Commons?—Yes, it is.

Do you admit all who are disposed to receive the sacrament?—No, I do not.

Do you exhort them beforehand?—Yes.

Individually?—Yes, on their first application, and I have them together regularly; in the Penitentiary I have service on purpose for them always previous to the sacrament.

Do they give you previous notice of their intention to receive the sacrament?—About a fortnight before I administer the sacrament, I request the task-masters and task-mistresses of each pentagon in the Penitentiary to say that the sacrament will be administered, and to give me a return of those persons who wish to receive it, and then I see them individually, and afterwards have them together in the chapel, and I frequently address them on the subject on the Sunday.

Do the women complain of want of work?—I have not heard that complaint from the women.

Have they any work now?—I should rather conceive not, except those who are employed in the laundry.

Are they better fed on board the ships than they were in the Penitentiary?—A great deal better; they none of them complain to me of the food, they say they are well off; I frequently go down and see them at dinner.

Have you any idea what it is owing to, that they have such a dislike to returning to the Penitentiary?—The quiet confinement which they are subject to in the Penitentiary has such an effect upon the mind, that a badly disposed person would not like it at all; a seriously disposed person would certainly prefer the Penitentiary to a place where they are congregated together in such large numbers, but I have always observed the more decent the conduct of the prisoners is, the more glad they are to get into separate confinement; I should not call the Penitentiary solitary confinement, they are in separate cells, but they work together in the yards.

Do you find generally amongst the prisoners a disposition and desire to read, such as can read?—Yes, I do.

In such as cannot read, do you find the same disposition to learn?—They are very desirous to be taught.

Is any instruction given them in that way now?—Yes; they instruct each other.

Have you schools?—Yes; they are furnished with books, and copy books, and slates; and I believe they spend a great part of their time in the lower decks in reading and writing.

Do you not find that they learn with extraordinary rapidity?—Yes, I do; we have had men come to the Penitentiary that could not read (from twenty-five to thirty-five years of age) that have been taught to read and write in a very few months, and some of them have gone out perfect masters of accounts.

Do you find them disposed to read serious books?—Yes.

The Bible?—Yes; every time I go down almost, they apply to me for books; some of them do not make a proper use of them, others do.

Do you find the same disposition, or a greater disposition, amongst the females as the males?—I think there is a greater disposition among the males to go on with their reading and writing; I find the females desirous to be taught to read and write, but I do not find the same thirst for knowledge among them as among the males; a man applied to me lately for French books, and another for Latin Books; one man can read Latin very well.

Was that man able to read when he came into prison?—Yes, he was; I have received many well written letters from them, some of which display a great deal of talent; I am confirmed in the opinion which I have always entertained from what I have seen in the Penitentiary and other prisons, that the most depraved are those

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that have never been educated at all ; I have no doubt at all, that the most turbulent characters among our prisoners are persons who have had very little previous education.

Have you found those that have been in the habit of reading much, go out of prison, in your opinion, more reformed than such as have not?—Certainly.

And of whom you have a better hope that they will turn out reformed characters?—Yes.

How long have you resided in the Penitentiary at Milbank?—From Midsummer 1816.

During that period, what has been the state of health that your family has enjoyed, yourself, and your wife and children, and the servants that have lived under you?—Very good, take it altogether.

How is it as compared with what it was in the same number of persons before you came to reside in the Penitentiary?—My family is larger now than it was when I first came to the Penitentiary, but the difference has been very great as to sickness generally; there has been much less in my family than when I resided in Essex, and I was supposed to reside, except for a few months, in a healthy part of the county.

Have your family been affected with the disorder that prevailed in the Penitentiary?—Yes, last summer.

Was that among the servants?—Yes; I was myself unwell, but I was not surprised at that, as I was constantly among the sick, and much exhausted from fatigue and anxiety; my family were attacked with the disease in the middle of the summer; one of them with severity and the rest slightly; and certainly, as far as my opinion goes, in consequence of a servant which we took from the prison, and who came out ill with the prevailing disease; but really I have resided so many years in the Penitentiary, that I had much rather reside there than in the city or any other confined part of London, except perhaps a month or two in the summer, it is then rather warm; but as a general place of residence I like it very well.

You suppose the disorder was communicated to the family by contagion from the servant?—I have no doubt of it; I certainly have had in my family less sickness in the Penitentiary the last seven years, than I had in Essex in the same given period.

You have not found your house damp?—No.

In your walks about the Penitentiary, have you seen any marks of damp?—Not at all; I was over some of the pentagons yesterday, and there has not been any fire in them, I believe, for some time, but they were perfectly dry.

Is the court-yard also dry?—Perfectly.

During the hot months, was it particularly unhealthy?—It was; but as far as my opinion goes, the disorder was entirely in consequence of the reduction of the food, and not arising from the local situation; for there is not a more healthy family of ten children than mine are.

What can you state with regard to the prevalence of a diarrhoea during the six years you have been there?—I have heard the prisoners complain that they have had bowel complaints several times; but I have had nothing of it in my own family, not more than commonly may be experienced in all families. I recollect a man once telling the surgeon that he had a pain in his bowels, and the surgeon remarking that he had been up two or three times in the infirmary in consequence of his complaint; and it brought to my recollection (he was a very clever fellow), that he had requested some time before to be removed into a cell where he might be left to himself, and he named a *particular* cell. He was of the second class. They are divided into two classes; the first class are in separate cells; the second class work together. This man had requested to be placed during the day, thinking himself, or at least pretending to be, a better description of prisoner than many of the others, and that he did not like to be in the same cell with them. His request was granted, and he remained for some time in this cell, and during that time, I believe, he made several complaints to the surgeon of his having a bowel complaint. I was once by when he made a complaint to the surgeon; and when ordered up to the infirmary, I observed the man laughed. I looked into the cell, and I saw in one part of it, a quantity of flax; it led me, in the evening, to look into Pliny's natural history, to see what the medicinal properties of flax were, and I found that it would have that effect, of producing sickness. I mentioned it to the surgeon. The man was not sent to that cell again; and, I believe, he had no more attacks of the bowel complaint; and he acknowledged afterwards to me, that he had sucked the flax on purpose

purpose; that whenever he wanted to get into the infirmary, for a particular purpose, the taking the flax produced a complaint in the bowels. At that time they were in the habit, I believe, from some improper conduct, of receiving spirits and different articles into the infirmary, and they generally used to feign sickness to get there.

Rev.
Dr. Bennett.

(March 4.)

Have you any reason to suspect that many other prisoners adopted that course?—I have no doubt that many of them did, where the flax was.

They had a desire to go to the infirmary, finding company there, and better food?—Yes; and at that time they could, in consequence of some irregularities, get any thing they liked in there.

Do you find any difference in the spirits of the prisoners now they are on board the hulks, as compared with their feelings when they were in the Penitentiary; either that they are in better spirits or lower; the question refers to the healthy prisoners, whether they are in better spirits than the same class of prisoners in the Penitentiary?—With respect to their spirits, many of them, at the time that the sickness was so very prevalent in the Penitentiary, lamented the cause of it, and their spirits became low, supposing that they themselves should be attacked with the same disease; but before that sickness broke out, I never observed any particular lowness of spirits; on the other hand, rather a degree of cheerfulness.

Did the solitary confinement of the Penitentiary operate upon the spirits of healthy prisoners with more effect than their confinement now on board the ships, where they are congregated together?—Most undoubtedly.

Did you observe that effect at all?—Yes; because I conceive that it so far operated upon the spirits, that they were well behaved; they were orderly throughout the day, much more so than they are now, and I attribute that to the quiet regular sort of life which they led; and that now, being congregated together, it is impossible that they should be so.

They are more joyous and riotous now?—I should compare them to boys out of school, who meet in a large yard and become noisy and full of mirth.

Mr. John Pratt, called in; and Examined.

WHAT is the present state of the prisoners on board the ships?—I attend only the females; the *Narcissus* and the *Heroine*.

Mr.
John Pratt.

What is the present state of health of those on board those ships?—I furnished medicines this morning, for, I think, 53.

Out of how many?—Out of 167.

Was the complaint the same as what they have been so long suffering under?—It is a similar complaint, but much milder.

What portion of those medicines were mercurial?—Not one to-day.

Have the women had many relapses?—A great number.

Are any of them, at present, in a state of danger?—I do not conceive one of them to be in a state of any danger.

Are they depressed in spirits?—Some are, a few.

How many have died since July last?—I think only one in August; that was at the Penitentiary; there have none died since they have been down there.

None have died since they have been removed into the Regent's Park, or on board the ship?—I do not know about the Regent's Park, but none have died on board the ships, I am sure of that.

Has Mrs. Bankes recovered?—Yes.

Was she ill of the same complaint?—She has had two or three attacks of the same complaint, but at this time I have no doubt there was some gall-stones passing, which caused her illness.

Mrs. Bankes is the turnkey?—Yes.

Was she ill at the Penitentiary?—I do not think she was.

Do you consider the complaint as subdued in severity, though still spreading over a large surface of prisoners?—I certainly do.

You are of opinion that the prisoners are still labouring under the diarrhœa, but of a milder nature than that they were labouring under when in the Penitentiary?—Certainly.

They are at present on better diet than they were on at the Penitentiary?—Better diet than they were on originally in the Penitentiary, but they have been on the same diet since April last.

Mr.
John Pratt.

(March 4.)

Are those you have been now supplying with physic ill of the same complaint?—The same complaint.

Is there no diversity at all?—It is a milder complaint.

The symptoms of the complaint are not so violent, that you have not had recourse to the same strong medicines as you had before?—No.

Were any of the prisoners removed from the Penitentiary in a state of danger, whose lives you considered in danger, that have recovered since their removal?—Several; and there are some, that since they have been down there, have been in a good deal of danger by relapse.

Are you of opinion that those persons, had they remained in the Penitentiary, would have recovered, or that the change of air has been conducive to their recovery?—I certainly think the change of air has been conducive to their recovery.

What was the effect of the removal to the *Narcissus*, which took place in the month of August last?—An immediate alteration for the better.

How long did that ship continue in tolerably good health?—I think I can say, till the prisoners came down from the Regent's Park.

Have the prisoners in the *Narcissus*, as well as those in the *Heroine*, suffered a considerable degree of sickness from the prisoners coming down from the Regent's Park to the *Heroine*?—Certainly, considerable.

Do you recollect the date of their coming down?—The *Narcissus* came down on the 15th of November.

Were any of the prisoners that came from the Regent's Park placed in the *Narcissus*?—Some of them.

Were not those a very small number?—They were, very small.

They were placed in the infirmary, were not they?—They were placed in the infirmary.

Is that on board the same ship?—It is; it is called the sick-birth.

Do you not think that the circumstance of their being more mixed together on board the ships, and enjoying a freer society than they did in the Penitentiary, as well as the change, which had raised a hope in their minds, contributed to the recovery of their health as well as the change of air?—There is no doubt that would have a good effect, their minds were diverted with the idea of possessing liberty.

Have you known of the existence of any disorder similar to that which has prevailed in the prison, prior to the change of the dietary in 1822?—Certainly not.

You have had occasional diarrhœas in the Penitentiary previous to that?—Yes.

Is the diarrhœa that you have had previous to that time, similar to that which has prevailed since?—I think there have been two cases that have occurred, somewhat similar in the evacuations and in the spots that have appeared, that have been more of a dysenteric kind, and those two cases I think were hard drinkers.

Are you quite sure there have been no cases in which there have been any spots?—Not one.

Can you state any other circumstances which distinguish the present disorder from that occasional complaint which had existed previous to July 1822?—Those bowel complaints that occurred in the early part were simple diarrhœas, unattended by pain, or very little pain; in this latter part it has been attended by violent pain and spasms, and a considerable quantity of mucus and blood evacuated from the stomach.

Arising from ulcerated intestines?—Yes.

How many prisoners, do you suppose, died of diarrhœa previous to the period alluded to of July 1822?—I think that previous to July 1822, I had down in my book seven cases of death from diarrhœa.

In what years?—1820, 1821, and 1822.

State the number in each year?—Two in 1820, two in 1821, and three in 1822.

Can you state in those years what number of cases of diarrhœa there were?—The prisoners were very frequently complaining of diarrhœa, when I went round merely with a view, or at least it struck me so, to get a change of diet, for, upon being removed to the infirmary, they seldom stopped more than a day or two they were found to be well.

You have stated the number of deaths in those years from diarrhœa upon reference to your journal, can you state how many cases of diarrhœa occurred in 1820, 1821, and 1822?—If my journal was here I could, certainly.

Was not the physician's report of the 11th of October, drawn up from your papers?—I believe it was.

Can you describe how it was drawn up; what was the course taken in forming the tables which constitute a part of that report?—By looking at the day book, and putting

putting down the name of each person who had had a chalk mixture or a chalk powder.

Mr.
John Pratt.

Did all the five physicians go over the paper with you, or only some of them, and which?—Only some of them; Dr. Roget went over a part, Dr. M^cMichael went over a part, and I believe Dr. Latham.

(March 4.)

Did Dr. Southey go over a part?—I think Dr. Southey was in the room part of the time.

And Dr. Hue?—Yes; Dr. M^cMichael took the principal part.

In marking the number of patients treated as having had the diarrhœa, did you put down any person that had, in any one instance, had a catacious mixture, or was there any distinction as to those that had it for a longer or a shorter time?—Not at all; I put down all those that had a catacious mixture.

What was your practice in delivering out that medicine; how much did you deliver out at a time?—Half a pound.

How long was that supposed to last?—Twenty-four hours.

Supposing a person complained to you of a bowel complaint, what medicine did you give him?—I gave him a catacious mixture.

Was that the first medicine that was given, upon a complaint by a person that his bowels were out of order?—Yes; except when they were removed into the infirmary.

Are not there many of the complaints which appear in those tables only common bowel complaints?—Certainly.

You do not conceive, from your recollection of the state of the prisoners, that in general those complaints were of a dysenteric character?—Certainly not, generally speaking there might be two or three cases.

Supposing any of those who have taken this catacious mixture to have taken it for diarrhœa, produced after other complaints, would the name of diarrhœa still appear in the tables?—In case of consumption, and many consumptive cases have occurred, diarrhœa is generally at the end of the stages.

Would that be put down as a case of diarrhœa?—Yes; diarrhœa is one of the last symptoms that take place in consumption.

Is the diarrhœa frequently brought on by injury to the digestive organs, occasioned by drinking?—Certainly.

Have you had in the Penitentiary any considerable number whose complaint you suppose originated in that cause?—Several.

Are there not, in those original papers, some entries in which you merely state that the chalk mixture was sent into the kitchen women?—There are.

In what manner did the physicians proceed to enumerate those cases?—They were frequently put down as three or five; they asked me what I supposed might be the number of the cases, and I told them to the best of my recollection.

In that case, the entry in the tables was conjectural?—Yes.

[The witness was directed to furnish a medical report of the number of deaths in each year.]

Do you give the chalk mixture for any disorder but diarrhœa?—No.

Did not the complaint of the diarrhœa, that has been prevalent in the Penitentiary, assume a different form after the reduced diet?—Yes.

Had you yourself any apprehensions at any period, that the alteration of the diet would have any effect in bringing on the diarrhœa?—I certainly had.

Do you conceive that the same system of diet, in any other situation, would have the effect of bringing on diarrhœa, unconnected with any particular noxious qualities in the place of residence?—Certainly.

That the change of diet of itself would produce that effect?—Yes, living upon a diet of that kind. The stomach and intestines are furnished with a muscular coat, when the food is received into the stomach, it is mixed with the gastric juice, and the nutritious part is taken up by the absorbents, the remainder is discharged per anum; I think that the muscular action would be lost by a constant taking of soup, and as such, diarrhœa would be produced, and which, in my opinion, accounts for the present disease.

How do you account for those who are not subject to a change of diet, receiving the disorder very shortly after they entered into prison?—I consider the disease contagious.

In what way do you consider that contagion to be communicated?—From using the same privies.

Are there not cases of persons that did not use the same privy?—There were

Mr.
John Pratt.

(March 4.)

several turnkeys affected with it, but whether they used the same privy or not I do not know.

Do you think the construction of those water closets which are used by the turnkeys, gave facility to the communication of the disorder?—I should doubt it.

Upon raising the lever does not the effluvia immediately rise?—I should think so.

Do those cases you have stated appear to be attributed to the diarrhœa only?—I think they were; but I think the papers which I shall furnish to the Committee, will give them a better account than I can give them now.

Could you furnish an account of all the cases of diarrhœa that occurred besides those in which they terminated fatally, previous to July 1822?—I can do that, certainly.

Did the medical persons who examined their books, look to those facts as detailed in your journal?—The only facts they looked to, were, who had the catacious mixture.

Did you furnish them with the account you are now called upon to furnish to this Committee?—Not exactly that account; I furnished them with a number of names, but not the medicines they had had during the whole of that time.

Have you any means of ascertaining the number affected with diarrhœa, otherwise than by referring to your books, to see what medicines were furnished?—No, I have no other means.

There were others which you state were fictitious complaints?—A great number, I have no doubt.

Do all those cases stand in the list, as cases of diarrhœa?—Yes.

The question is not asked you, as to mere cases of mere bowel complaint in which you administered this mixture, but the cases of confirmed diarrhœa; what is wished, is an account of cases of confirmed diarrhœa?—That I can furnish; where they went up into the infirmary, and were several days in the infirmary.

What particular reasons have you for supposing that a change of diet would bring on a diarrhœa?—This I have explained, the muscular actions of the stomach being interfered with.

Did you ever attend the families of the officers of the Penitentiary?—Always; I believe every one, from the first commencement.

What was the general state of their health?—Very good health.

Should you say, it was as good as the health of families living out of the Penitentiary in other parts of the town?—I think so, equally as good.

As the families of those persons living in the best parts of the town?—Not a doubt of it; there was no particular disease in the families.

Should you think it was better than that of families living in the close parts of the town, in streets?—I certainly should; I have resided there very nearly three years, myself, and may say, I have not had a week's illness during the whole of that time.

Do you recollect how many children have died in the Penitentiary?—Two, I think; F—— and H——.

Was F—— a healthy prisoner at the time the child was born?—No.

Was the child born with a humour upon it?—I cannot say.

Should you not suppose that the same cause, namely, change of diet, which produced the diarrhœa in the Penitentiary, would produce the same effect in any other prison in the kingdom?—I have not a doubt of it.

Then how do you account for persons who have been living well, being committed to prisons in other parts of the country, not being subject to that disorder where that change of diet takes place?—Was it the same change of diet?

Suppose a man to have been in the habit of having a good dinner every day of meat, and drinking good beer, and he was sent to prison upon a diet of bread and water and oatmeal gruel every day, Sundays excepted, would that man, in your opinion, be subject to the attack of diarrhœa, the bread being the best bread?—Ours was brown bread; the question, I understand to suppose, the giving meat on Sundays.

A certain quantity of meat on Sundays?—I do not think they would be subject to the same disease if they had meat in that manner; a great deal, I think, will depend upon where the prisoners may come from; whether London prisoners or country prisoners.

Mr. Thomas Bayles, called in; and Examined.

Mr.
Thomas Bayles.

(March 4.)

ARE you the surgeon to the Male convict ships?—I am.

What is the present state of the health of the prisoners on board them?—They are in general tolerably good on board the two ships.

How

How many of them have died since they have been removed from the Penitentiary?—Two have died.

What is the exact state of the infirmary, as made up to-day?—On board the *Dromedary*, there are eighteen in the infirmary; on board the *Ethalia*, twenty-one.

What is the nature of their complaint?—A good many diarrhoea, and a great many with colds, which are owing to the present state of the weather.

Are those cases of diarrhoea of the same character as what had long afflicted them in the Penitentiary?—They are of the same description as they had when they came down; I was not in the habit of visiting the Penitentiary, therefore I cannot speak to that.

What medicines are they taking?—Different medicines.

Is mercury given to them?—No; there may be two or three who have taken it in a dose, but that was from another cause, where I thought it necessary to give it; not for the diarrhoea.

None are under a course of mercury?—No.

What is the greatest number you have had in the hospital during that period?—We have now full as many, or perhaps more than we ever had before, since they came down.

Have you ever had occasion, since they came down, to push mercury to salivation?—No, I have not thought it necessary.

Have you any dangerous cases?—Not one at present, except one that came on board the *Dromedary*, the last prisoner who came down, which is a case of violent sickness, that he can take nothing on his stomach.

Arising from this disease?—He has had the disease, but he has not it now.

Have you any cases of relapse?—We have had some; not many.

Have persons relapsed more than once?—Yes, they have.

What is the greatest number of relapses any person has had since he has been there?—I think I can trace four or five.

Are they in good spirits in general?—In general in very good spirits.

Are they in better spirits than when they came down?—In much better spirits; their spirits are, I think, beyond what they ought to be, rather turbulent.

Are any attempts now made to impose upon you, shamming sickness?—It is impossible to give a decided opinion upon it; I think it is very probable there are.

Have you discovered no decided cases?—I think I have; for instance, the day after the physicians came down, they were complaining very much indeed; the whole ship complained that there were nine-tenths of them ill; I was with them for some time the next morning; when I went on board I examined both decks carefully, and those that complained much I ordered into the infirmary; the very next day, a man who told me he had been so ill, I did not believe it was possible he should have had the number of motions he stated, he behaved so very ill in the infirmary, the very next day he was obliged to be put into the black hole; I visited him every day, and the disorder had ceased to appear; therefore, I conceive from that, he had been imposing upon me: that is not the only case; there have been several others, but that was a decided one.

What is the greatest time which any body has been confined in the dark cell?—There have been latterly some confined eight and twenty days.

For what offence?—For trying, I believe, to make their escape, or making their escape.

Did you visit them daily?—Yes.

Were any of them ever in such a state that they were afterwards removed into the infirmary?—I generally took them into the infirmary, from their being rather weak and feeble, to get them round the sooner.

Did you give them any additional food in the black hole?—Sometimes I ordered them gruel of a night, nothing more.

Was that person who was confined the eight and twenty days in the black hole, in a state of weakness when his term of confinement was at an end?—He was certainly rather weak but not particularly so, I thought it better to take him into the hospital for a few days.

How long did he remain in the hospital?—Three or four days; he was not ill when he came in, but rather weak.

Do you think they are in general in better health than when they came down?—Certainly; they are much better, both in health and appearance.

You were understood to say, you have more in the infirmary now than at any

Mr.
Thomas Bayles.

(March 4.)

previous time?—Yes; because we have a great number of colds and coughs, and catarrhal complaints.

Has any new case of diarrhœa occurred on board the ships?—Not any new one.

Any of a person infected with a complaint that was not infected when he came on board?—Not that I know of; I do not think there is one.

As to those cases which you mentioned of the persons who died; when did they die?—They died soon after they came down; they were both consumptive cases; they were in the last stage of consumption when they came down.

Was not one the case of a boy who had had a blow before he came?—Yes; they came from the Retribution at Sheerness; he had had a blow, and I believe his ribs were broken; and the other was a decidedly consumptive case; neither of those died of diarrhœa.

You attend the ordinary hulks, and have for many years?—Yes.

Have you ever bowel complaints there to any extent?—Yes, we have.

Have you ever complaints of the same nature as that you have seen in the persons who came down from the Penitentiary?—No, not of the same nature; when a man complains of a bowel complaint, something is done immediately, and it does not last above two or three days.

A common bowel complaint is of frequent occurrence?—Yes; I believe every where.

Do you consider the diarrhœa to be contagious?—No, I do not.

You have no reason to think that any of the complaints of those who have been under your care have been contagious?—No.

Have any of the officers of the ships caught this disease since they have been on board?—Not one that I know of; I have an assistant who sleeps on board every night, and has done ever since they came down, except one or two nights when he was ill, therefore, if there had been any I should have known it.

Do you consider the disorder of the diarrhœa to be contagious or not?—I do not.

In no case?—In no case that I have seen.

How do you account for persons sent to the Penitentiary, almost immediately after their being committed to that prison, receiving not by infection this complaint?—I cannot account for it.

Are you a naval surgeon?—No.

Have you been much at sea?—I have been a good deal at sea; I have been in the army a good deal.

Do you conceive the diarrhœa when it becomes dysentery becomes infectious?—Yes, it may then, certainly; when it becomes dysentery it may become infectious.

Do you conceive that case which prevailed so much in the Penitentiary at Milbank to be infectious?—I cannot answer that; I should really think not; but not having visited the Penitentiary, or been in the habit of seeing them there, I cannot answer to that.

You consider dysentery to be infectious?—Yes.

How is it communicated?—It is communicated most likely from the effluvia and from the vapour of the atmosphere, inhaling it from sitting in the same place.

Were the cases which you first saw, when the persons came from the Penitentiary to your care, cases of dysentery?—No, they were not.

Have you any case of dysentery now?—No, we have not any.

What is the difference between diarrhœa and dysentery?—In dysentery the intestines are much more affected; they generally get into a state of inflammation, and they have bloody motions, with mucus and mattery stools; that is not the case from diarrhœa.

Were there no cases from the Penitentiary in which the patients voided mucus and blood?—I never saw one; I can venture to say we have not one dangerous case; or a case likely to become so.

Have you many cases in which the head has been violently attacked on a relapse?—We have had some.

Have you any cases of what are called petechial spots on your present patients?—None.

Have you had any since they have been on board the hulks?—Not any that I have seen; some of them have had eruptions upon them, but not of that nature.

Veneris, 5^o die Martij, 1824.

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

The Rev. *Samuel Bennett*, D. D.

Delivered in a Statement of the number of births and deaths of children in the Penitentiary, which was read, as follows:—

Children born in the General Penitentiary, Milbank.

From June 1816 to December 1823:

Children of officers	-	-	-	10
Children of prisoners	-	-	-	4
Total	-	-	-	14

From June 1816 to December 1823,

Two children have died in the Penitentiary, viz.

F—, aged three months, daughter of Sarah F—, a convict; and

H—, aged six months, son of Elizabeth H—, a convict.

No death has occurred among the children of the officers resident in the Penitentiary.

March 5th, 1824.

Sam^l Bennett, D. D. Chaplain.

*Rev.
Dr. Bennett.*

(March 5.)

Peter Mere Latham, M. D. called in; and Examined.

WHAT is the present state of the male prisoners on board the ships, as to their health?—I have no intimate knowledge concerning the present state of health on board the ships at Woolwich; they are under the superintendence of medical officers resident upon the spot, and it has been the habit of Dr. Roget and myself to go down there once a week, or more frequently upon emergencies; and it is therefore impossible to do more than obtain a general knowledge of their state of health.

When were you there last?—I myself have not been down since last Wednesday week.

When you were there, what was their general appearance?—They seemed to be somewhat better, compared with what they were on our previous visit; there seemed to be considerable numbers complaining, but, judging from their appearance, I should say, they were better than they were when we visited them last.

Better in their looks?—Yes.

Were any of them taking mercury?—I think none on board the male ships, or very few; it has been the practice to abstain from the use of mercury entirely, except upon great emergencies.

Should you give the Committee to understand, that you consider the disease as considerably abated in rigour since they last met?—I could only speak to what is the present state of things; we have been perpetually disappointed in our anticipations of what was likely to take place, and I dare say many of the reports that we have delivered in appear inconsistent with each other; we have endeavoured to confine ourselves as much as possible to what was actually taking place at the time that we delivered in each report; and although, at the present moment, at least within this last month, several cases have occurred among the prisoners, yet the relapses have not endured so long as relapses on former occasions, and I may say, perhaps, that they have been more amenable to medicine.

Have the relapses been as frequent though not of as long duration as respects each individual?—I think not; but many severer cases of relapse that have lately taken place, are found among those females who were last transferred to Woolwich, and among those who have been perfectly well, as far as the absence of all symptoms of disease constitutes health, for six weeks or more.

Should you at present think that any portion of those who may be considered as cured, meaning by the word cured at present free from the disease, can be returned

Dr. Latham.

(March 5.)

Dr. Latham.

(March 5.)

to the Penitentiary without considerable danger of a relapse?—I dare not anticipate any thing concerning the probability of a relapse or not, I should be afraid of returning any of them to the Penitentiary under any circumstances.

What is the reason that you should be afraid of returning them to the Penitentiary?—It is our belief that the disease essentially belongs to the situation.

Are the Committee to understand you by that, that any new convicts who have never yet been in the Penitentiary, and now should be sent there, would be liable to disease from the peculiar circumstances of the Penitentiary?—It is our apprehension.

What are those circumstances belonging to the Penitentiary, which you think so favourable to the generation of this disease?—We have not the slightest knowledge what the particular circumstances are, but we conceive that there is sufficient evidence that, whatever they may be, they belong to the place.

Do you think, for instance, the site, the locality of it, is one of the causes that might lead to the generation of that disease?—We can form no opinion whatever.

Do you think its inclosure the way in which the air is interrupted in its free circulation, by having so many courts, is likely to create it?—I cannot tell, but I should think not; I do not know whether the Penitentiary is ventilated upon the best principles of ventilation, but it must be obvious to any body going round the Penitentiary, that it is ventilated as well as any of our private houses: This is obvious to every man's senses.

Did you ever ascertain whether this disease, such as it has been under your observation, exists in almost every other establishment in which prisoners are confined for a great length of time?—In respect to the period of confinement, it is impossible to compare the circumstances of any other gaol with the Penitentiary, but about this time last year, certain questions were drawn up by Dr. Roget and myself, and addressed by the Secretary of State to the visiting justices of some of the more considerable gaols in England; some of those questions went to the prevalent diseases of those gaols, and I do not recollect that in the answers returned, there was the slightest allusion to any disease of the same general character as that in the Penitentiary.

Do you recollect, whether those questions were put to gaols, or houses of correction?—I can mention some of the gaols to which they were addressed; to Lancaster castle; to I think the New Bailey at Manchester; to Chelmsford, and I think to Exeter.

You are aware that those gaols are principally occupied by prisoners before trial, and that after trial they are removed from them?—It appeared there were both classes of prisoners in most of those gaols.

Of course, in any opinion that you would form, you would take into consideration the peculiar discipline, the more rigid discipline that exists in the Penitentiary than exists in any other house of correction in the kingdom, as one of the moral causes operating upon the health of the prisoners?—Of course: But moral causes are those that are least capable of being appreciated, though in every instance a large allowance must be made for them.

Have you ever inquired, and been able to learn any accurate information as to the health of the neighbourhood of the Tothill-fields district, in which this Penitentiary is situated?—We made the best inquiry we could, and the result was, that every body in the neighbourhood enjoyed ordinary health; and it certainly does appear, that they are not suffering from any disease of the same character with that which has been prevailing in the Penitentiary. I have heard only of one instance; it was a woman, strange to say, in a cook's shop in Westminster, who had a dysentery of the same character, with scorbutic spots.

When you examined those books from which you have drawn your report of the 11th of October, did you inquire of Mr. Pratt as to the nature of the diseases which the prisoners had, to whom he had given the medicine which you described as the chalk medicine?—Yes; Mr. Pratt could give us no further information, than that they were cases of diarrhœa.

Did he tell you that they were simple cases of diarrhœa, which, in common language, might be known by a pain in the bowels; or did he tell you that they were that species of diarrhœa which you have had recently under your care?—He said nothing concerning the species of diarrhœa being the same with that which has lately been epidemic there, but he said it was a flux of the bowels; he admitted, that they were cases of diarrhœa.

Have

Have you applied the generic name diarrhœa to all cases in which the chalk powder had been given, whether they lasted three days or three weeks, or any period?—Unquestionably.

Is there not the greatest possible difference between that case of diarrhœa, for which the chalk medicine may be given, a looseness of the bowels for one day, and different stages of that disease which you had under your care?—With respect to the two diseases, we do not pretend to say more than this, that they were of the same general character; that that was a flux, and this is a flux.

Are any common disorders of the bowels that every body has, to be considered as a disease of the same character, though not pushed to the same extent as the disease that you have had under your care?—Medical men would say, that they are as like each other, as one fever is like another.

Do you not think, that if you were to go through any street and examine every body, and to ask at every house if any body had any thing the matter with them, that you would have, at every house, a great many days of the week, persons who would have looseness of the bowels, and to whom the chalk mixture might be given?—I should think not; and I say so for this reason—I am the physician to a large hospital in London, to which persons come every week to be prescribed for as out-patients for more moderate disorders, and so far from diarrhœa being a common disorder among the poor, as far as this opportunity of information goes, I should say that the common disorder of the poor was the opposite state of the bowels, constipation.

Are you not aware, that prisoners generally gain something by being moved into the infirmary; that it is in all prisons considered as a situation of preference?—Yes.

Is it not, therefore, likely, that persons should either feign diseases which they have not, or complain of attacks which, in ordinary life, nobody would say any thing about, for the sake of obtaining those indulgences which they have on being transferred to the infirmary?—I am not acquainted with the habits of prisoners, further than from the experience of last year; it is very likely that they would be disposed to play tricks for the sake of obtaining greater indulgences; but with respect to the prescription of the present remedy for diarrhœa, it was stated to us by the apothecary, that the cases for which it was prescribed were not transferred to the infirmary; that they were treated in the Penitentiary; that for a disorder of the bowels, he did not think it necessary to give them any indulgence whatever, but to subject them to the penalty of taking physic.

Did he not inform you, that for the first day he had given them this medicine, but if the disease continued, he removed them into the infirmary?—He informed us that the severer cases of all diseases, and consequently the severer cases of diarrhœa, were transferred to the infirmary. There are on record some persons who have died of diarrhœa in former years; I think six out of eleven severe cases; of course those individuals had lingered a considerable time in the infirmary before they died: but a great majority of cases, for which this remedy was prescribed, still remained in the pentagons.

It appears by the table you have given in, that, in 1816, the number of prisoners was 72, and the cases of diarrhœa, calculated upon the data that you have given, amounted to 23; but in 1822, when the number of prisoners was 866, the cases of diarrhœa were only 88: if this disease essentially belonged to the Penitentiary, how do you account for its being in such a diminished extent in the latter year, in comparison to the former?—The number of 1816 is taken from a half year only; the Penitentiary began to be inhabited in the middle of the year 1816.

You see by the table, every year the disease was essentially diminishing, and at last the proportion is not exactly calculated, but in 1817 it is nearly one-half and in 1822 it is nearly one-ninth; how do you account for that diminution, supposing the disease essentially to belong to the Penitentiary?—We have allowed that there is no other way of accounting for it, but by the admission that the injurious power, whatever it was, that existed, gradually abated, and, until the period of the eruption of the epidemic, it seemed to be almost reduced to nothing.

Then if this disease had been reduced to little or nothing, in proportion to the greater number of persons who were confined in the Penitentiary, and the greater length of time for which they were confined, what objection have you, as a medical person, to sending fresh prisoners to that situation?—The occurrence of the epidemic at all. We consider, that, although the disorder was almost reduced to nothing, yet still the injurious influence of the place, be it what it may, kept the whole

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of the prisoners under a proneness to this disorder, and that it only wanted some occasional cause, some cause that would operate upon the prisoners at large, in depressing their constitutions, to call it into action.

Do not you see that for a great number of years, that proneness had considerably diminished, because the number of persons every year who were seized with this disease was gradually lessening?—Unquestionably; but it must be borne in mind, that the prisoners at that time were in all circumstances and in the circumstance of diet especially, in the best possible security against any diseases of that kind.

Then supposing the old diet to be restored, and bearing in mind that the disease was yearly declining, would there not be a sufficient security that the present disease would not again be generated?—There would be the best security that I could mention, but whether it would be an absolute security or not, I cannot venture to say. Injurious diet is one source of depression and exhaustion. There may be other sources of depression and exhaustion that may arise in the course of years that we are not aware of, and cannot anticipate; and it would be when that depression and exhaustion take place that the prisoners would be in the most favourable circumstances for being attacked by a disorder to which they had a proneness from the situation in which they were placed.

Do you not think that those observations apply to every place of confinement in which prisoners are confined for any number of years, and are applicable to all cases of long imprisonment; do they not apply to moral causes rather than to situation?—There might be a reasonable doubt whether that might not be the case, except from this consideration: the disease appears to have been more predominant in the Penitentiary as the period was nearer to its first establishment, when moral causes would have had less time to operate; I conceive that injury from moral causes operates with greater force in proportion to the length of time that the person has been confined; if this disease could be imputed to moral causes and moral causes exclusively, you would have expected that it would have increased rather than diminished as the time became more distant from that at which the Penitentiary was first established.

Do you think that any change could have taken place in those circumstances to which you alluded, between 1817 and 1822, for in 1817 we find nearly one half of the prisoners reported by this table as having the diarrhoea, and 1822 only one-ninth; the question refers to the power of local influence?—It is to be inferred so; we do not know in what particular circumstance this injurious influence consists, it might be in the air, it might be in the earth, or it might arise from the building itself, being a newly inhabited building.

The tables are built upon the expenditure of that medicine; now might not an alteration have taken place in the expenditure of that medicine, and no alteration have taken place in the health of the prisoners; that is to say, in the first year this chalk powder might have been given indiscriminately for all sorts of cases, and in 1822 not given except for cases that required it?—Nothing of the kind was stated to us by the person who prescribed it, Mr. Pratt.

Did he tell you that he was accustomed, upon any body saying that they had a pain in the stomach, to give them directly a dose of chalk?—Mr. Pratt was employed by us in every stage of this investigation; he was employed by us in reading from his own book all the names, which we took down alphabetically; and in this way he was occupied four or five successive days; and it is not in my recollection, and I find it is not in the recollection of any of the physicians, that during that time Mr. Pratt uttered a single word respecting feigned disease, or made any objection that could at all go to invalidate the conclusion at which we arrived.

Did you acquaint him with that conclusion?—Unquestionably.

Did he see the Report?—No, I think not.

Did he assent to that conclusion?—I understood him as assenting to the conclusion; we did not lay the report before him, but he was perfectly aware of our opinion, and he was perfectly open in his communications to us.

Then the Committee understand you, as one of the physicians who have so long attended this establishment, distinctly to state, that it is your opinion, that there are some causes, which you cannot distinctly specify, which give a predisposition to persons confined in the Penitentiary to the complaint of diarrhoea?—Yes; perhaps I may state further (in order that the Committee may exactly understand how far my conviction goes, and how far it does not go,) if a disease can originate only from one cause,

cause, of course there is no difficulty whatever in ascribing its origin; where there is small pox, there necessarily must be contagion; but where a disease may arise from a great variety of causes, it is a matter of extreme difficulty to discover what particular cause, or what two or three causes in combination, can have given occasion to it; now diarrhœa, or dysentery, is one of those diseases: diarrhœa, or dysentery, may arise even from opposite causes, from cold as well as heat, and from moist as well as dry; it may arise from local situation, or perhaps even from contagion, or from injurious diet; from causes that operate immediately upon the body, or upon the body through the mind. Having stated this, it would be very reasonable to ask me, whether, among all those difficulties, I have such confidence that I am right, as to feel a perfect conviction that this disease is imputed by us to its proper causes, namely, that it arises originally from the injurious influence of situation, and was aggravated into an epidemic by the severity of the season, and by injurious diet? I answer, that I am not so absolutely convinced of it, as I should be that small pox arises from contagion; but from all the circumstances that have come to my knowledge, I have as strong a conviction as it is possible to have upon such a subject. Practical measures are to be taken immediately, and we are asked for the best practical opinion; and we entertain this conviction so strongly, not speaking merely of myself but my colleagues also, as to have a very great apprehension, that if the building was peopled again, the same disease would break out.

Do you know the number of persons generally, on an average, constituting the families of the officers residing in the prison?—They were 103.

The question refers to the superior officers living apart from the prisoners?—I do not know; I know there are 103 inmates altogether, independent of the prisoners; at least, that was the number the last time I took an account of them; but I do not know the distinction between the inferior and the superior officers.

The families of the governor and the master manufacturers live in the building, do you know the number of those families which have no intercourse with the prisoners?—I do not know the number.

Have you ever made inquiry as to the general state of health of those families?—Yes, I have.

What has been the result?—I found they were healthy.

Would any injurious influence, arising from local situation, show itself most in children, or adults?—I cannot answer that question.

Would it be a proof of the salubrity of a situation, if, in a number of children, there was very little sickness?—Generally, I think it would.

Do you know the number of children that have been born in the Penitentiary?—No, I do not.

Would it not be some presumptive proof of the health of the situation, if ten children were born of families living in the very centre of the building, and no one of them should die?—Unquestionably it would.

Were not you and Dr. Roget originally decidedly of opinion that the building did not contribute to the disease?—We were.

You have stated that you formed your change of opinion upon some evidence, will you have the goodness to state the evidence?—I found my opinion upon the evidence afforded by the day-book of the apothecary, which gives an account of the remedies prescribed to the sick.

Is that only the chalk mixture and chalk powder?—As far as that book is concerned.

Will you explain, as nearly as possible, how those tables that are contained in that report were made—whether all the physicians were present, and in what manner those tables were formed?—I do not know that all of us were present at each investigation, but there were always more than one of us present, and I think more than two of us.

Every case was put down as a case of diarrhœa, in which one delivery of medicine appeared to have taken place?—Yes; the names were read by Mr. Pratt from his own day-book, and taken down alphabetically by us at another table.

Does the delivery of medicine go to prove that there was any thing in that disorder more than a common looseness of bowels to which all people are subject?—The simple delivery of that medicine goes to prove no more.

Did the physicians make any distinction between those who had received it more than once, and those who had received it once only?—We made none.

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Then supposing those tables had contained the name of every individual in prison in each year, could you from that have concluded that a disorder prevailed of the same character as has lately existed; would any number of instances in which individuals had a single delivery of medicine within the year, go to prove that a disorder, obstinate and difficult of cure, prevailed?—Undoubtedly not.

Then how does that conclusion result from these tables, there being no distinction; nothing to shew the Committee for how long the disorder continued in each individual?—It will appear, upon the face of Mr. Pratt's books, that this medicine was most frequently prescribed; and it will appear, upon the face of Mr. Pratt's books, that this medicine, though it may be prescribed to one individual only once, and to other individuals only twice and three times in the same year, that there were numerous individuals to whom it was prescribed again and again, in successive weeks, in successive months, and in successive years; and it is from Mr. Pratt's books, upon the whole, in which we found that there was a large prescription of a certain remedy, that we inferred, upon the whole, the prevalence of a certain disease.

Is it not necessary to take, in aid of those tables, the statement you now make respecting Mr. Pratt's books, because they do not contain any distinction as to the length of time you state, that though in some cases that medicine was given only once or twice, yet that many of the cases were cases in which, during the same year, the medicine had been delivered very frequently; then, is it not necessary to take that statement in aid of the tables?—We thought it of great importance in drawing up our report, that we should not use too much refinement, or any refinement whatever, in the distinction of cases; all we wished to state to the Committee was, that from the large prescription of a certain remedy, we inferred the prevalence of a certain disease. It has been stated to us, that we have no right to infer the prevalence of a certain disease at all from the use of a certain remedy; we think we have a right: but we think we were not warranted in making a distinction of cases, according to the greater or less frequency with which the remedy was prescribed.

Do not those tables include any case in which any person has pretended to have an illness which he had not, and has, in consequence, had physic?—Nothing of the kind was stated to us.

Do not those tables include every case in which medicine was delivered?—I believe they do, with, perhaps, a few abatements, as to particular cases. If Mr. Pratt stated to us, from his own memory, that there was any thing particular in any case; if he stated, for instance, that a diarrhoea supervened upon some other disorder, we did not think it fair to put down that case. We did not wish to overcharge the statement.

Were any abatements made in consideration of feigned diseases?—No.

Do you not know, from your own experience, that all the physic given in the Penitentiary was not always taken?—I do; perhaps I may say that is the case in private practice also.

Are the greater number of cases put down in those tables, to be taken as real cases of illness?—We had no reason to believe the contrary when we made those tables.

Is it not of course, that in a prison there should be a great many cases of feigned illness?—It is very likely.

Were Mr. Pratt's accounts so clearly kept, that the name of every person who had taken physic always appeared?—We could only reckon upon what did appear.

For instance, if Mr. Pratt's entry is "Mrs. Clarke's women—a mixture," in what way is that entered in the tables?—I perfectly recollect that some abatement was made, but of what kind it was I cannot state at this moment; but I know that some abatement was made upon that consideration.

For instance, there is, "The kitchen women, a mixture;" "Mrs. Clarke's women, a mixture;" and "Mrs. Todd's women, a mixture;" in what way, in forming the tables, were those entries used?—I know that some abatement was made, which we considered to be a just abatement, but of what kind it was I forget.

Are you aware that Mrs. Clarke's women might be as many as thirty?—Yes.

In what way was that noticed in the tables?—I quite forget; I am not even certain whether we did not exclude the whole of that.

Are you acquainted with the site of the Ophthalmic hospital?—Yes.

Do you know of any thing in the site of that hospital which should occasion the prisoners who were there confined for a time, to be subject to more relapses than they had in the Penitentiary?—I do not.

Do

Do you attribute those relapses at all to the situation, in that instance?—I had better state that the women in the Ophthalmic hospital were exclusively under the care of Dr. Roget; it was necessary to divide our labours.

Was there not an evident difference between the state of health of the females during the time they were confined in the Ophthalmic hospital, and when they were transferred to the prison ships?—Undoubtedly there was.

Do you attribute that at all to the situation, or did Dr. Roget, to your knowledge?—He did not, to my knowledge.

Is there not an essential difference between diarrhoea and dysentery?—Diarrhoea and dysentery are considered to be diseases essentially of the same kind; aggravated diarrhoea becomes a dysentery, and mitigated dysentery becomes a diarrhoea.

The epidemic that prevailed was of the nature of a dysentery?—In all the reports that have been given in, it will be found that we use diarrhoea and dysentery indiscriminately; there are many cases that would answer better to the medical definition of diarrhoea, and many that would answer better to the medical definition of dysentery.

Does it appear from the medical gentlemen who were called in upon this occasion, that the epidemic was of a different nature from what had prevailed in the Penitentiary previously?—We know nothing from our own observation of what occurred at the Penitentiary previously; we only infer that there was a diarrhoea from the nature of the remedies prescribed.

You consider one of the principal causes of this epidemic to exist in the local situation of the Penitentiary; the Committee have in evidence that the family of the clergyman, a superior officer in this establishment, have not been subject to this complaint; can you give any reason why the disorder should exist so much more prevalently among the prisoners than among the other inhabitants of the place?—It must be considered that the inmates of the prison and the prisoners themselves differ in every respect from each other, except in the place in which they were resident; the inmates of the place lived as they pleased, went out when they pleased, and had the choice both of their exercise and their amusements.

Do you consider that if there was any system of exercise introduced into the Penitentiary, that that exercise might tend to diminish the epidemic disorder that has prevailed?—Presuming that there is a source of disorder in the place, we consider that the prisoners would obtain their best security against it in proportion as they were placed nearer to the condition they would be in, if they were not prisoners.

The question refers to whether any system of exercise or labour could be introduced into the Penitentiary, which would tend to diminish the epidemic disorder that has prevailed; if there was a tread mill, would that have the effect?—It would be one of those things that we should state as likely to afford the prisoners a protection from the disorder.

Do you and your medical brethren believe that this disease would ever have taken place if there had not been a change in the dietary?—We believe that it hitherto would not have been discovered that there was any disease in the place; other causes hereafter might have taken place, equally capable of calling it forth.

Do you think that the dietary which was given in July 1822, and the peculiar unhealthiness of the subsequent winter, constituted or not a sufficient cause for the disorder, without having recourse to unhealthiness of situation?—We undoubtedly consider that the disorder would not have been aggravated into an epidemic, but from the impoverished diet and the severe winter; but we do consider that the disorder belongs to the place, and that the whole of the prisoners were under a proneness to the disorder.

Supposing the same dietary were given in another prison in which you had no reason to presume any proneness to disorder, and a winter as unhealthy as that occurred, should you then be apprehensive that the health of the prisoners would suffer?—I should be apprehensive that the health of the prisoners would suffer, but I should consider it likely that each prisoner would fall into that disorder to which he had naturally a proneness, and that very various disorders would arise. I consider that very various disorders did not arise in the Penitentiary, but one disorder only, because all the people in the place were under a proclivity to that one disorder, not naturally, but from circumstances.

Then do you consider it to be contagious?—I believe, as we answered in one of the questions directed to us a few months ago, that it is practically imperative on

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us to act as if it was contagious, but I do not believe that the facts already known, amount to a decisive proof of contagion.

If it is contagious, would that account for the similitude of the disease in the different prisoners?—Certainly.

The Committee understand you to have said, that if there was not a proneness to this particular disease, the dietary would have affected the prisoners in such a way as to bring diseases among them; if it is contagious, would not that account for the same disease prevailing to a great extent?—Unquestionably.

Supposing the old diet to be renewed, in case of the Penitentiary being again peopled with fresh inhabitants, do you conceive that such a winter as the winter of 1822–3 would be likely to reproduce this disease?—I think the best security that could be obtained would be obtained by diet.

Assuming this return to be correct, it appears, that the number of cases in 1818 amount to nearly one half the cases of diarrhœa; do you recollect the state of the weather in the summer of 1818?—Not at all.

You do not happen to recollect that it was a remarkably hot summer?—I do not recollect.

Supposing the Penitentiary to be peopled again, do you conceive, that if a strict watch was kept over the symptoms of disease, that the disease would assume such a form as to affect the lives of those persons?—I think that no degree of watching, in itself, would be a security, for this reason; a great number of new prisoners were admitted since I have been employed there, and since the diet has been altered for the better; and it may be believed, that we were very attentive to the health of those prisoners; but we could not prevent them from falling into the same disorder.

Is not that one of the arguments in favour of the idea that it arose from contagion?—I do not think that it is; but speaking as a physician, the facts do not amount to what we regard as a positive proof of contagion.

Did those people go to the same privies?—Yes.

Were there not some prisoners that got this disorder within two months of their coming in?—Yes, less than that.

Then how can you account for prisoners in two months getting this disease, when for several years before it does not appear that any prisoners had any other disorder than common diarrhœa?—We know very little about the sphere of local influence; but we know this much, that it may produce a most aggravated disease immediately.

Are you aware, that in the Cold-bath-fields prison, which is a house of correction, and in which prisoners are confined to as long terms of confinement as about two years, seldom exceeding two years; that in 1823, the number of persons who were afflicted with bowel complaints, exceeded the proportion of the persons who were similarly afflicted in the same number of months in 1822, by nearly one half?—No, I was not.

Are you aware, that at that period the persons who had the management of the house of correction in Cold-bath-fields, altered the diet in the same way as it has been altered in the Penitentiary?—I was not aware of that.

Supposing those facts to be true, should you not infer from them, that it was the alteration of the diet that produced the disease?—Dr. Roget and myself thought it a very strong proof that we were right in attributing the disease to impoverished diet; they got well as by a charm, as soon as we altered the diet; but they relapsed universally; and therefore we began to suspect that we were wrong, and for this reason especially, it is a matter of experience, that diseases which are produced by impoverished diet, are most easily and most effectually cured solely by a return to more generous diet; this is matter of experience.

Is that the case with all the dysenteric cases that are produced by an impoverished diet; take the cases of scurvy?—It is signally so with scurvy.

When the physicians stated, in their report, that a disorder of the same general character with the epidemic prevailed before the commencement of the present epidemic, are the Committee to understand, that the disorder which prevailed before was only common diarrhœa, but that it had no peculiarities by which the present disorder is distinguished?—We presume nothing further respecting that disorder, which we did not see, but that it was a common diarrhœa.

Will you read this question and answer, which is one of the questions proposed to the physicians, with their answer:—"Do the physicians conceive there could be any danger from the admission of fresh prisoners into the Penitentiary, after the present prisoners shall have been removed from it, and proper cleansing and fumigation shall have taken place?" Answer.—When the present prisoners have been

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“ been removed, and the Penitentiary has been properly cleansed and fumigated, “ and when the severe months of winter are passed over, if fresh convicts be then “ placed in the prison, we can assign no reason why the health of those inmates “ should not be so good as it was in 1821; but it is essential that the diet of the “ prisoners should not be less nutritious than it was in that year.”—Did the physicians by that answer mean to encourage or discourage the opening of the Penitentiary?—I will tell the Committee what we meant by that answer; we selected 1821 as the period at which the prison was most healthy, though not considering it to be free from proneness to disease, and therefore we wished to imply, that if it was again re-peopled, if the committee or government were content with this minor degree of health, that there would be no obstacle to their resorting to that measure, but we put our answer in such a way, as to make it absolutely necessary that we should have some conversation with the committee before any such measure was resorted to.

Was any intimation made to the Committee, that that answer required further explanation?—No, undoubtedly not; we meant in our answer, to refer the Committee in a great measure to our report. We say that there is no reason to suppose, that it would be less healthy than it was in 1821; we expected the Committee would refer to our report, to see what was the state of health in 1821, and that another question would come to us.

When you infer a change of some local circumstances, from the diminution of physic given, might not that arise from the surgeon becoming more able to detect imposture, or from his finding that he had given his physic a little too lavishly; is it not likely to have arisen from that cause, as from some change in the climate of the place?—It is possible; but no intimation was made from the surgeon himself respecting feigned disease.

Do you wish the Committee to understand, that your observations, as to the proneness of prisoners to this disease, extend generally to all places of confinement, where persons are confined for terms of years, or are they limited solely to the Penitentiary?—As limited to the Penitentiary; we speak to facts before us; we are afraid of going further.

Then as far as relates to persons who are not prisoners, you consider the place as healthy?—We consider that it has not been proved to be otherwise.

Would you explain what you mean by that expression, “ a minor state of health,” which you used?—We considered that a case of noxious local influence had been proved, and that a disorder of a particular character had arisen from it: But that it had not been proved, in 1821, that this disease was at all of a severe character; still by what afterwards took place, this disease, under peculiar circumstances, was found capable of being aggravated into one of a very severe character. What I mean then by a state of minor health is that in which there is no severe suffering at present, but which requires peculiar caution from time to time, to prevent it from arising.

You infer a proneness to disorder, from the proportion of prisoners that, judging from medicine, have had the diarrhœa in the course of a year; can you state what proportion of prisoners in a prison you would think might reasonably be supposed to have diarrhœa, without leading to any inference against the state of the prison?—I spoke of a proneness to disorder, as proved by the eruption of the epidemic.

The epidemic is supposed to have arisen from constitutions in some degree affected by local situation, and that proneness to take the disorder is inferred from the number of diarrhœas prevailing in the antecedent years; now, what proportion of prisoners might have diarrhœa without leading to an inference that the prison was unhealthy?—I cannot exactly say.

What proportion of prisoners might *communibus annis* be supposed to have common diarrhœa in a prison, without leading to an inference that there was in the prison a proneness to produce diarrhœa?—I should say, that the occurrence of diarrhœa in one-tenth would not of itself prove a proneness. If it had declined, year after year, from one-half to one-tenth, there would have been at the commencement a decided evidence of proneness to diarrhœa, and in the end a reasonable hope, that that proneness had worn itself out; but having come to this reasonable hope, if on a sudden the whole prison should pass again into the same disorder, then we should consider it as pretty conclusive evidence, that that proneness had all the while subsisted.

Do you take into consideration all the possibility that the new dietary and the remarkably severe winter might of themselves have produced this disorder without

Dr. Latham.

(March 5.)

any antecedent proneness, or do you consider those causes as insufficient without a proneness in the place to produce it?—I cannot say that I should consider those causes as insufficient in themselves, but I should expect that the ordinary operation of such causes would not have produced one disease in all, but many diseases in constitutions not from circumstances prone to a particular disease.

Then are you not led to infer a proneness to disorder from your holding the opinion that the disorder is not contagious. You have stated, that you presume from the similitude of the cases, that the disorder had arisen from some common cause, namely, a proneness to disorder in the place; but if you believe the disorder to be contagious, would you have occasion to resort to that other supposition. Supposing the disorder to have been contagious, would not the diet and the unusual unhealthiness of the winter account for all that has happened?—No, I think not; every body is aware that contagion and local influence are very obscure things, and that they are perpetually obscuring the influence of each other. You cannot impute positively a disease to contagion, except where you can positively exclude all suspicion of local influence, neither can you impute a disease to local influence only, except you can exclude all suspicion of contagion, and hence it happens that there is at this day a controversy among medical men, whether or no the yellow fever be contagious, because it has never happened that it has occurred under circumstances where local influence is absolutely excluded.

Do you believe the disorder to have been contagious at the Regent's Park?—I will state what would appear to me to amount to a positive proof of contagion, and nothing short of that will convince me as a physician that the disorder is contagious, (I do not say that it is not necessary to act as if it was contagious.) If a number of individuals discharged from the Penitentiary, having the symptoms of the disorder upon them resorted to various situations, and those with whom they came in contact in those situations, should have the same disorder, this would be a positive proof of contagion.

Would not the circumstance of three persons having it at the Regent's Park, who had never had it at the Penitentiary, prove it to be contagious?—The Committee are aware that there was every degree and variety of bowel complaint; and it so happened, that when those three supposed cases arose, that the season of the year was most favourable to what we call cholera morbus: cholera morbus was most prevalent at that time, and those cases approached very near to it.

Have not the women in the *Narcissus* been much more unhealthy since there were placed amongst them six women who came from the Regent's Park?—They have become ill since that time; but I do not, on that account, impute it to that cause.

Are the persons who were affected with this epidemic, when it prevailed, the same persons generally who had suffered before from diarrhoea?—The whole prison was involved in this, both those and others.

Not peculiarly those who had been affected before?—Not peculiarly.

Whom did you allude to in the general answers you have given when you have said "we?"—I mean the other physicians employed with myself at the Penitentiary; our conversations have been so frequent together upon this subject, that I can vouch for the agreement of our opinions upon every material circumstance.

Do you impute to the newness of the building alone, there having been 104 ill of diarrhoea in 1817, and only 88 in 1822?—I merely state what is possible; I do not rely upon that as the cause which I have ascertained.

You think it being a new building might have been one of the causes?—Yes.

Lunæ, 8^e die Martij, 1824.

THE HONOURABLE ROBERT H. CLIVE,

IN THE CHAIR.

Peter Mark Roget, M. D. called in; and Examined.

Dr. Roget.

(March 8.)

IN the Report of the 5th of April, presented by you and Dr. Latham to the committee of the Penitentiary, was not the disease then prevalent in the Penitentiary ascribed merely to diet and cold?—It was.

Was

Was not that opinion confirmed by other physicians then examined?—I do not believe any physicians were examined at that period.

Dr. Rogel

Was it not afterwards subsequently confirmed by other physicians?—Certainly it was.

(March 8.)

Have not many prisoners admitted into the Penitentiary, since the diet thought to be injurious was changed, and since the weather became mild, become the subjects of dysentery?—A great many.

Can you state at all to what number of prisoners that observation applies?—I do not recollect at this moment the precise number, as it is to a period, six months ago, that the question refers; I know that a very large proportion were the subjects of dysentery.

Do you think 100 prisoners, that came in since the 16th of February, have had the disorder?—I do not recollect that 100 prisoners have come in.

The number is 127 that have come in?—I should think, as far as my memory serves me at present, under 100, perhaps between 80 or 90.

To what cause do you ascribe the sickness of those 80 or 90 prisoners?—I am at a loss to assign positively any precise cause.

Would there be difficulty in accounting for that fact, if the existence of contagion was admitted?—Certainly not.

Do you think that there is any evidence of the existence of this peculiar species of dysentery, between the opening of the prison and the commencement of the present disorder in autumn last, or in winter last?—It appears, from the Report that we gave in on the 11th of October, that we had obtained evidence that a disorder of the bowels has been very frequent in the Penitentiary from the earliest periods.

Does that disorder appear to bear any other affinity to the present disorder than a common diarrhoea bears to that which had the peculiar character of the present disease?—We have had no evidence of the precise symptoms accompanying that disorder; the only inference we can draw from the documents we have examined is, that there has been a diarrhoea or disorder of the bowels.

Was the remedy administered for that disorder, similar to that by which the disease has in any instance been cured?—It is precisely similar to the remedy which has been very frequently given, and with good effect; that is to say, we have very often administered chalk mixture with opium and aromatics for the relief and cure of the present disorder, in its mild forms with success.

Have not the physicians, in a majority of cases, been obliged to have recourse to the use of mercury?—Certainly.

Has not the disorder been described in the evidence given by Dr. Latham, as a disorder for which mercury was a specific?—I have not seen Dr. Latham's evidence.

In the evidence given before the last Committee?—Mercury was certainly a specific for the disorder in its more aggravated forms; and even in its milder forms, it appeared to yield considerably to mercury; but we found it convenient, on many accounts, occasionally to interpose other remedies, and particularly the remedies I have just referred to. Without mercury I do not think we ever could have subdued the disease.

In a vast variety of cases there have been relapses?—Certainly, in most instances.

In those cases has it been cured without the use of mercury?—I believe very seldom; what I mean to say is, that the disease has often been subdued for a time, by the use of remedies of inferior efficacy, such as chalk mixture and opium.

Can you state any reason why any peculiarity of situation should have produced this disease in prisoners received from the 16th of February last to the present time, when no disease of this peculiar kind is proved to have existed antecedently to the commencement of this disorder in autumn or winter last?—I certainly cannot.

If the disorder arose from local situation, would it not have been likely to have affected the families living in the centre of the prison?—If that local influence was to a considerable extent, it is likely that it would; but not if it was only in a small degree.

Have not all the families residing in the centre of the building, been all free from this disease, with the single exception of Doctor Bennett's, part of whose family have been slightly affected by it?—I have heard nothing to the contrary; I have not inquired particularly into the healths of the inmates of the prison who were not prisoners.

Dr. Bennett having stated, that this disorder affected part of his family for a short time after he had taken a female prisoner into his service, who had been ill in the

Dr. Rogett.

(March 8.)

prison, and who had a relapse while in his service; does not that circumstance tend to increase the presumption of contagion?—It does.

Do you know how many officers were in the service of the committee at the Regent's Park, who had never been in their service at the Penitentiary?—I know of three.

Has the messenger been affected by the disorder?—Certainly he has.

Do you happen to know whether Mr. Duplex ever had it in any degree?—He had diarrhœa in a very slight degree.

The porter?—I do not recollect.

Are you aware, whether the matron's servant who lived at Milbank, in a part of the building where she had no connexion with the prisoners or the inferior officers, and had never been ill at Milbank, was ill of this disorder in the Regent's Park?—I was informed by the matron, that her servant was ill at the Regent's Park.

Did not this disease become much more prevalent on board the *Narcissus* at Woolwich immediately after those sick prisoners, who came from the Regent's Park, were placed there, than it had been before?—I believe it was.

Although dysentery may not generally be contagious when the persons having that disorder live separately from each other, is not the probability of contagion much increased when a great number of persons are congregated together for a considerable time?—The probability is very much increased.

Under all the circumstances which have been stated, are you of opinion, that this disorder has been contagious?—I think very probably it has been contagious; indeed I am strongly inclined to think that it has been so.

Would not the circumstance of contagion sufficiently account for the continuance of the disorder, and the manner in which it has baffled the efforts of medical gentlemen?—I think not.

Will you state the reasons?—There are several circumstances very much at variance with the hypothesis of its being contagious; it is almost uniformly observed in contagious epidemics, that the operation of contagion is limited with regard to its period; that it generally affects a great number in succession for a certain period, that afterwards the operation of the contagion gradually disappears; and that persons who have been once the subjects of the disease so communicated, are much less liable to a recurrence of the disease: those circumstances have not taken place in this epidemic; so that it is contrary to the analogy of other contagious disorders, and in these respects differs totally from other contagious disorders.

Does not the existence of the disease in the Regent's Park tend to strengthen the idea of contagion?—The circumstance of persons who were not at the Penitentiary, and who contracted this disease at the Regent's Park, certainly does strengthen that supposition, and would much influence me in believing that it has been contagious.

That is still carried forward by their being affected in a similar manner when they were removed on board the *Narcissus*?—I think that is much less conclusive, because the females in the other ship were much worse at the same period.

Do you happen to know the number of inferior officers employed about the prisoners and the prison, who were affected by this disorder?—I do not know the exact number, but several were.

Assuming, for the present, that they are as many as twenty, can you assign any cause but contagion why they should have been affected with the disorder, and why none of the inmates of the families of the superior officers, living in a part of the building distant from the prisoners, should have been affected?—The circumstance of persons having more frequent intercourse with the prisoners being more affected, is certainly in favour of contagion, but it is by no means conclusive.

Did those people you allude to go to the same necessary with the prisoners?—I believe some did.

Can you state any conclusive reason in your mind, why the prisoners should have been more subject to this epidemic than the officers in the establishment, or Dr. Bennett's family, who were living in another part of the prison?—I should think the circumstance of their being prisoners, would render them much more likely to be affected by any contagion.

Do not you attribute a great deal of the commencement of the disorder, at least, to the change of dietary?—Certainly; I think that was the principal exciting cause.

Is the local influence which is said to exist, acted upon by the diet and mode of life of the prisoners?—The mode of life, and so forth, would render them more liable to take the contagion.

Suppose

Suppose a local influence to exist in the prison, would a more active employment, affording labour and exercise, diminish the effect of the local influence?—I think so, decidedly.

Dr. Roget.

(March 8.)

Is diarrhœa a common disorder among the poor generally?—It does not appear to be so from my experience.

As the physicians have, in their report of the 11th of October, drawn inferences unfavourable to the healthiness of the prison, from the proportion of the prisoners supposed to be treated as patients having diarrhœa in each year; can you state what proportion of prisoners might exist in that prison, without leading to such an inference?—If there had been only one in a hundred I should not have been disposed to have drawn that inference.

What is the greatest proportion that would have been allowed, is one-tenth more than would lead to that inference?—The greater the proportion, of course the stronger the inference would be; but it is difficult to assign any precise number at which the inference would be justified, and below which the inference would not be justified.

The inference is at present drawn from the number at present appearing; would the last year, in which there were only one-tenth, have been considered unhealthy, provided the other years had not exceeded that proportion?—It appears to me, that one in ten is a much larger proportion than would naturally exist among a certain number of persons, in ordinary circumstances.

In framing those tables, do you think it a fair ground of calculation to include those who had taken mixture once only in the year?—Certainly; we could not have excluded them from our consideration.

Does the fact of a person taking medicine for lax bowels, once in the year, prove at all that he is more subject to diarrhœa than persons commonly are?—Every such case will have its due weight in this general induction.

Supposing every body in the prison took a medicine for lax bowels once in a year, would it lead to a conclusion, that the prison was unhealthy?—In as far as this fact went, it would lead to a conclusion, that relaxed bowels were frequent in the prison.

Have not most persons living in this country relaxed bowels at least once in the year?—I am not aware that that is the case.

Have you any notion of the proportion of cases in those tables, in which the medicine was taken only once or twice?—I do not recollect at this moment; I know we took that consideration into account in reviewing the evidence.

That is not distinguished in the Report?—It is not; we distinguished it, however, in our own minds.

Is there not an important difference between diarrhœa and dysentery?—A very important one in the extreme cases, but they run into each other by imperceptible gradations.

There is no evidence, as the Committee understand, that the dysentery occurred previous to the commencement of the disease?—There is no distinction in the records of the Penitentiary, between diarrhœa and dysentery.

Would not the cræte mixture be given for ordinary cases of diarrhœa?—Certainly.

And if a great number of the cases appeared to be cases in which the cræte mixture was given only once, would not the inference be, that it was diarrhœa and not dysentery?—It would.

On the 15th of October, the physicians gave this answer to the committee of the Penitentiary, to the following question: "Do they consider there can be any danger from the admission of fresh prisoners into the Penitentiary, after the present prisoners in it shall have been removed from it, and proper cleansing and fumigating shall have taken place." The answer is, "When the prisoners have been removed, and the Penitentiary has been properly cleansed and fumigated, and the severe months of winter are passed over, if fresh convicts are placed in it, we can assign no reasons why the health of its inmates should not be as good as it was in 1821; but it is essential that the diet should not be worse than it was in that year." Did the physicians by this answer, mean to recommend the experiment of placing fresh prisoners in the prison, or to state it to be so far injurious to health, that that experiment ought not to be tried?—We made no reference to any recommendation.

Does that answer imply that there is danger or not?—It implies that there is no more danger than there was in 1821.

Supposing the old diet to be renewed in case of the Penitentiary being re-peopled with inhabitants, do you suppose, that such a winter as the winter of 1822-3 would

Dr. Roget.

(March '8.)

be likely to renew the disease?—It is difficult to give an exact answer to a question of that kind, because the circumstances are new.

Do you suppose, that if the Penitentiary was to be re-peopled and a strict watch kept over the symptoms of the disease, that the disease could possibly assume such a form as to endanger the lives of the inhabitants?—I do not think I could hold myself responsible that it would not.

Then the Committee understand you to say, that you do not conceive that the concurrence of the dietary, supposed to be injurious, and the cold weather, were both necessary to the production of this disease?—They appear to have been necessary to the production of this disease in the aggravated form in which we have seen it.

Have you visited the Penitentiary lately?—I was there on Saturday week.

Have you been there frequently?—Not latterly.

Has it been cleansed, and altered, and purified to your satisfaction?—Perfectly so.

Can you point out any further alteration or cleansing that you would recommend?—I am not able to point out any particular change which I think necessary.

Can you recollect whether the children of the families who inhabit that place, have the advantage of better air, or a better place to take their exercise in, than the prisoners?—I am quite unacquainted with these particulars.

You do not know whether they have the advantage of any better situation?—I do not.

Supposing fresh prisoners were put into the Penitentiary, what species of food should you recommend?—I should recommend a great proportion of animal food.

What variation from that which is successfully made use of in other places of confinement, should you recommend?—I should consider a more nutritious diet would be necessary for prisoners in the circumstances they are in, in the Penitentiary.

Comparing the number of deaths with the number of prisoners, would the year 1821 appear to be an unhealthy year, the average number of prisoners is 631, male and female, the number of deaths is 17?—That appears to me a small proportional mortality for a prison.

Do you conceive the height of the walls, and narrowness of the courts, likely to be essentially injurious to the health of the prisoners?—I should not have thought so.

Do not the officers live in the part of the building which is the least exposed to the external air, being surrounded with the courts of the prisoners?—They do.

Do they not, in general, live in the two lower stories of that building, the prisoners' infirmaries occupying the top of it?—They do.

From the prescriptions which you had an opportunity of inspecting at the Penitentiary, you come to the conclusion, that common diarrhœa was a prevalent disorder at an early period of the establishment?—We did.

Are you of opinion that the disorder which you term diarrhœa, in the early period of the establishment of the Penitentiary was, in a mitigated form, the same as the epidemic that lately was prevalent in that prison?—I think it probable that it was of the same general character.

Are you aware that the diarrhœa is a complaint prevalent in places of confinement?—I am not at all acquainted with the facts on that subject.

In case of fresh prisoners being put into the Penitentiary, do you conceive the former exercise was sufficient to keep men in health?—I thought so at the time, and I see no reason to alter my opinion.

You do not think an increased quantity of exercise would be injurious?—I should think not; I beg to observe, I should think exercise, combined with a greater degree of amusement, would be much more beneficial.

When you mentioned nutritious diet, you did not mean more nutritious diet than the prisoners were accustomed to have in 1821?—No.

What should you conceive the best calculated, in case of prisoners being placed there again, to counteract the effect of the local influence which you have described in your report?—In the first place, a more nutritious diet; more amusement, if such were admissible; more occupation; and, at the same time, great vigilance would be necessary; frequent inspection on the part of the medical attendants.

Do you mean more occupation by labour; any particular species of labour?—More occupation by labour.

You

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You mean there should be a constant personal inspection, to perceive whether any of those spots which have been alluded to, make their appearance?—Yes; or any alteration in their general health.

Do you apprehend, that immediate precautions being taken on the first appearance of a common diarrhœa, would tend to prevent the disease assuming the shape of an epidemic?—I think it probably would.

Did what they call the sea scurvy, appear in the prisoners before the dysentery or after?—Before; at least I think so; it appeared before I attended at the Penitentiary.

Do you know the present state of the prison ships?—I was on board the ships last Tuesday, and saw all the prisoners.

In what state were they in; the males first of all?—The men appeared to be better on the whole than they had been for the last month.

Are the relapses less frequent?—I think they are less frequent, still, however, they occur.

The disorder has, upon the whole, assumed a milder aspect?—It has, among the men.

What is the case with the women?—They are not so well as they had been, a week or fortnight before, but there have been continual variations in the state of the health of the prisoners.

Were the complaints of the same nature?—Precisely.

Did not the women in the *Narcissus* continue tolerably healthy from a short time after the prisoners went down, till the arrival of the women that came from the Regent's Park?—They did, with some variations.

Then the epidemic has been prevalent more or less in the ships, in the same shape in which it was in the Penitentiary, though in a mitigated form?—Yes.

Do you think, that if any of those women were discharged and sent to their friends, it would accelerate their cure?—I think it would.

Could they go amongst them without any danger of contagion?—That depends entirely upon the present existence of contagion; it is impossible to answer precisely what the consequences would be.

Do you know how many persons there are residing within the walls of the Penitentiary?—Not at all.

Supposing it to be the fact, that no person within the walls has had that disorder within the course of the present winter, does not that go a considerable way in disproving the fact of an injurious influence in the situation?—It goes some way, of course, but only, as I should think, a very little way.

Do you believe that the disease would ever have taken place, if there had not been a change in the diet?—I believe it would not have taken place to any thing like the extent it has.

Does not it follow, from your opinion and the opinions of other gentlemen, that it is quite impossible, before a prison is built, to know whether it will be healthy for prisoners or not, in respect of the scite?—I should think it very difficult.

The circumstance of its being healthy for persons who are not prisoners, does not at all lead to the conclusion, that it would be healthy for prisoners?—It would be a great presumption.

Does not that presumption exist in its full extent in the Penitentiary at this moment?—The present state of the Penitentiary is quite a distinct question from the state at the origin of the Penitentiary.

Is there any instance of any single person in the families of the officers of the Penitentiary, with the exception of Doctor Bennett's family, having had this disorder at any time since the Penitentiary was opened?—I am not acquainted with the history of the persons in the Penitentiary who are not prisoners.

Supposing that fact should appear in evidence, would that at all alter your opinion with respect to the healthiness of the place?—By no means; I would set them out of the question; my opinion is founded only upon the records with regard to the prisoners themselves.

Then the only circumstance which leads you to form this opinion, is the conclusion you draw from the records that have been examined?—We have formed our conclusions undoubtedly from those facts.

Do you agree with Doctor Latham, in saying, that it is your united belief, that the disease essentially belongs to the place?—I think it does.

Do you think, under any circumstances, it would be unadvisable to send either those prisoners who have recovered from the disease, or any new prisoners to the Penitentiary?

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Penitentiary?—I do not think it would be advisable to send back any prisoners who had been there.

Do you think it would be unadvisable to send any new prisoners?—The expediency of sending fresh prisoners there, would depend upon many other considerations besides the mere medical question.

Under a more generous diet, you would not conceive there was that danger?—I should always conceive a suspicion would attach to the place.

Do you think, though a more generous diet and different treatment might counteract the unhealthiness of the situation, yet that it could never be considered free from danger?—Certainly.

You would be satisfied with a few years trial perhaps?—No.

Do you think, that the predisposition to this disorder exists from the local situation liable to be acted upon by various causes?—I do.

Will you enumerate any of those various causes?—Any cause that produces a diminution of strength would render the body more liable to be affected by this supposed noxious influence; causes both mental and physical.

Do you think the ventilation of the Penitentiary good?—It has always appeared to me to be good.

Do not you think, that it is likely, from the form in which those buildings are constructed, that the ventilation cannot be quite so good as if the space was quite open?—Probably not; it is merely from theory that I speak.

You did not distinguish any marks of dampness upon the walls?—None whatever.

In point of fact, are the courts more damp than courts of that sort in any other part of London?—Not at all.

Did you ever taste the bread; is it wholesome bread?—Very wholesome.

Not likely to produce that looseness of the bowels?—The bread has been changed since we were appointed to the Penitentiary.

Do you think the bread they formerly had, was likely to produce looseness of the bowels?—I believe they formerly had brown bread.

Is it not very common for brown bread to produce that effect on persons accustomed to eat white bread?—Certainly.

Do you know at all the state of health of the immediate neighbourhood of the Penitentiary?—I do not; I have endeavoured to learn, but without much success.

You have not heard of any illness of the same nature prevailing there?—No.

Are children more or less subject to be affected by unhealthy local situation than adult people?—I think they are more subject.

Can you give any opinion as to from what cause that noxious influence arises in the peculiar situation of the Penitentiary?—It is impossible for me to assign any specific cause.

Do not you think weak people are generally more liable to local influence of that kind than strong people?—Certainly.

Should you think the neighbourhood of the osier beds, which goes behind Belgrave Terrace, on the road to Chelsea, has a deleterious influence?—It is likely it has some deleterious influence, because this is the case wherever there is considerable evaporation from vegetable substances.

From stagnant water?—Not so much from that alone, as from vegetable matter, by which I believe this deleterious influence to be generated.

Do you think if that building was transformed into a great manufactory, where people were employed at work as they are at present, and confined as much, but still with the knowledge that they could go out whenever they liked, that there would be any bad effect to their constitution from the locality of it?—I should think much less, if any.

Then the bad effect arising to the constitutions of the prisoners is as much owing to the effect of confinement on their minds, as to the effect of noxious influence arising from situation?—Undoubtedly.

When the physicians reported, in October, that medicine had been given for the diarrhoea, were any means taken to ascertain whether that diarrhoea was of the same character as the dysentery which has prevailed since?—We had the assistance of Mr. Pratt, the surgeon, during the whole of that inquiry, and we took all the information that he could give us on the subject.

Was the object of the examination ever mentioned to Mr. Pratt?—Throughout the whole of the examination he was aware of the impression it made on our minds, and the conclusion we were drawing from it.

Was

Was he employed otherwise than ministerially to state to you the cases he found upon his books?—No.

Dr. Roget.

In the tables in the physicians' report, is any deduction made on account of supposed imposition in any of the prisoners, or is every case put down in which the cræte mixture was given?—If any imposition had been suspected, we presumed we should have been informed of it by the surgeon.

(March 8.)

Was that subject never agitated?—Of course, all the cases of supposed imposition were excluded, because we took from the surgeon the account only of those which he conceived were real.

Did not he give you every case in which he had given out the cræte mixture?—He did.

How were the cases of imposture excluded; was he asked whether he supposed the case to be a real case or not?—He was asked as to the reality of the cases.

How was it possible for him to state whether a case was a real case or not, which occurred six years ago?—That we left to him; we could not exercise any judgment as to that point.

Is there any other circumstance which leads you to suspect the situation of the Penitentiary to be bad, except the circumstance of the existence of this disease?—I have understood that the scite of the Penitentiary was formerly a swamp, and, if so, it is possible that it might be unhealthy on that account.

Was not that the case with the greatest part of St. George's Fields, and also the part adjoining the Penitentiary?—I believe so.

Was not the scite upon which the Penitentiary now stands, garden ground at the time that building was erected?—I do not know.

Mr. John Pratt, again called in; and further Examined.

HOW did you draw out those cases contained in the tables annexed to the physicians' report?—By looking in the book, and taking out every person's name that had the chalk mixture given him.

*Mr.
John Pratt.*

Did you exclude any on account of imposture?—Not to my knowledge.

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Will you describe what was the mode practised; who looked over the book?—Dr. M^cMichael at one time, Dr. Roget at another.

One of the medical gentlemen looked over your day book?—They did.

There were two or three gentlemen generally in the room?—Sometimes two, and sometimes three.

Did one of the gentlemen in general look over the book with you?—In general one.

Whenever the cræte mixture was entered in the day book, was the name of the person put down that had it?—I believe so.

Were you requested to distinguish between what you supposed were cases of imposition, and cases of fact?—No.

Were any cases excluded on that ground?—No.

Did you state that imposition had been practised?—I did.

Was one case left out on that ground?—I do not believe that one was, on that account.

Do you believe, that among those which are put down, there are many cases of imposition?—I do.

Were the names of individuals mentioned, who had so conducted themselves?—No, it was impossible for me to mention the names.

Are there not a great variety of cases in which it will appear that the patient had a mixture, went up into the infirmary one day and came down the next?—Yes.

Were those cases excluded?—No.

It appears that in some cases a mixture was ordered for Mrs. Clarke's women, were those cases excluded?—They were put down.

In what way were they put down?—A certain number was put down.

How was that calculated?—They asked me what number might be supposed to be in that ward, or in the kitchen in general; the mixture was sent in a quart bottle.

Were the names of any persons excluded, because having had another disorder it terminated in diarrhœa?—No, those names were put down.

What was the state of the Narcissus, from a short time after you went down till the women were sent down from the Regent's Park?—Very good.

Can you give the Committee any general notion as to their degree of health; how many people did you prescribe for from day to day?—From three to four.

Mr.
John Pratt.

(March 8.)

Were you not in the habit of complaining to Mr. Holford, in a jocular way, that you had nothing to do?—I was.

Did any material change take place soon after introducing the seven women into the ship from the Regent's Park?—Directly.

Were not those women sent to you, as being particularly sick of the disease?—They were.

And in a short time the disease showed itself to a great extent?—In a very few days.

How long was this ago?—The 21st of January.

In what state are the women now?—When I left on Saturday, there might have been about twenty-seven that I prescribed for on board the *Narcissus*.

Had those seven recovered?—They are just in the same state as they were.

Had they spots?—No, not one of them.

The women who were in the ship previous to the arrival of those seven, had had the disorder?—Yes; the moment they went down, they recovered in a very rapid manner, and for three months they went on very well.

Since January, when the seven women went to the ship, have the number of persons ill been diminishing or increasing?—They have been increasing.

Mr. Anthony White, called in; and Examined.

Mr.
Anthony White.

(March 8.)

I BELIEVE you are consulting surgeon to the Penitentiary, and have been so since the time it was opened?—I am.

Your brother is master-manufacturer?—He is.

And has a large family residing in the place?—He has.

It consists now of ten people?—Altogether ten.

Have you also been in the habit, occasionally, of prescribing for other families within the Penitentiary?—I believe for all.

Have you lived in some intimacy with all those families?—Certainly.

You are therefore qualified to give an opinion as to the general state of health of those families?—Certainly; they are healthy in a general way; I believe Dr. Bennett's family and my brother's family have had attacks of illness, but they have not at all been allied to the illness which has existed in the Penitentiary.

You stated, when you were formerly examined, that you thought this disorder was at one time contagious?—I did.

Do you continue of that opinion?—Certainly; and I think circumstances have occurred to confirm that opinion, more particularly connected with the state of the health of the people in the Regent's Park; I believe it is well known that some who had never been employed about the Penitentiary, after they became mixed with the females who were removed to the Regent's Park, were attacked with the disease which existed in the Penitentiary.

Do you know that of your own knowledge?—I do, for I have seen it at the Regent's Park.

Is not the circumstance of a very considerable number of prisoners, who have come in since the dietary has been changed, having been infected with this disorder, a strong circumstance to prove contagion?—Certainly.

Is not the fact of a number of inferior officers, who were employed about the prisoners, being affected with this disorder, while the inmates of the superior officers, who lived distinct from the prisoners, were free from it, a strong circumstance to prove contagion?—Certainly; I have no doubt of it.

Jovis, 11^o die Martij, 1824.

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

Alexander Copland Hutchison, M.D. called in; and Examined.

Dr.
Hutchison.

(March 11.)

HOW long were you principal medical superintendent to the Penitentiary?—Seven years, very nearly.

Commencing from what period, and ending when?—The date of my appointment is the 7th of May 1816; the date of my removal, the 19th of April 1823.

During that period, what were the prevailing diseases amongst the prisoners?—
I should

Dr.
Hutchison.

(March 11.)

I should say, visceral complaints, rheumatism, scrophula, consumption, and occasionally a case of common fever.

Had you many cases of consumption?—A good many.

Can you specify from the commencement, taking year by year, what were the prevailing diseases for each year?—I think I can best answer that question, by stating, that the diseases that prevailed generally in the Institution, appeared to me to be such as we meet with in common life, with this difference, that perhaps there were more cases of scrophula and of consumption, according to the proportion of persons in that prison, than there are, according to the like proportion of individuals in any other situation.

Have you any detailed account that you can give the Committee, of the state of the disease in any given year?—I beg to refer to my reports, which were made monthly and annually to the committee of the Penitentiary: one of those, (which was printed by order of the Committee of last year,) is the annual report for 1822; the report for 1821 I hold in my hand, which, with the permission of this Committee, I will read. It is signed by myself and Mr. Pratt, the only two medical officers of the establishment at that time.

[*The same was read, as follows:*]

Report by the Medical Officers of the Establishment of the General Penitentiary, on the health of the Prisoners generally, for the year 1821.

Gentlemen,

General Penitentiary, 6th January 1822.

We have performed the monthly examination of the prisoners, and their cells, as prescribed by our instructions, and have no particular remark to make upon either, health and cleanliness prevailing throughout.

In the infirmary, two deaths have occurred during the month of December, namely, Jane Hawkins, of consumption, and Thomas Day, of dropsy; otherwise, the number of admissions from the pentagons have, in proportion to the total number of convicts, been fewer than usual during this period of the year. We have also to report the dangerous state of two patients now in the infirmary, a male and female, of whose recovery we entertain very little expectation; the former labouring under dysentery, and the latter general anasarca.

At the commencement of the year, we beg to be permitted to make a few observations on the state of health generally of the convicts for the past year, and on the subject of the medical department over which we preside.

By a reference to our monthly reports, it will be seen, that there have died in the year 1821, eight males and nine females, making seventeen in all, which, according to the convict population of the establishment, makes about one death in forty; a degree of health not surpassed in the most salubrious town or village in the empire; for, according to the Swedish tables of mortality, the deaths are calculated at one in thirty-seven of the total population; and although every reasonable allowance be made for the deaths in early infancy and in extreme old age, both which we are, it is true, here exempt from, yet when we take into consideration the introduction of vaccination since these tables were drawn up, and the fact that we have a great many broken down constitutions to contend with from previous intemperate habits, there is much reason to estimate highly the degree of health enjoyed by the prisoners in this institution.

From the 1st January 1821 to the 31st December inclusive, there have passed through the infirmary six hundred and seventy-four cases, male and female, besides an average of about eighteen who were prescribed for and visited daily in the different pentagons, but whose ailments did not appear to require removal to the infirmary, as they continued to be employed at their different occupations. The prevailing diseases during the year have been, fever, scrophula, visceral complaints, rheumatism and pulmonary affections, and one case of ague, being the first that has occurred since the opening of the establishment. There was also a case of natural small-pox, which, however, was prevented extending to such as had not before had that disease, by immediately vaccinating them all.

We deem it our duty likewise to report to the committee the good conduct, care and attention evinced by all the officers connected with the sick department; and we have the honour to subscribe ourselves,

Gentlemen,

Your very obedient and very humble servant,

To the Honourable the Committee of
the General Penitentiary.

A. Copland Hutchison, M.D.
Medical Superintendant.

J. Pratt, Surgeon.

Dr.
Hutchison.

(March 11.)

I beg leave to add, that I hold in my hand the document from which I drew up this Report; namely, a statement of Mr. Pratt, in his hand-writing, giving the names of the persons that died in the year, the diseases of which they died, and also the number prescribed for in the pentagons, and in the infirmary, which I find will corroborate the statement, and shew its accuracy.

Are you enabled to give the same statements for the years 1820, 1819, 1818 and 1817?—I am not; I kept no copies.

Do there exist in the Minutes of the Committee similar Reports for those preceding years?—I cannot take upon myself to say positively whether there are or not.

Did you make any particular reports?—I do not know; I rather think I did not make any regular report till I was formally appointed, with a salary, to the institution.

That was in 1821?—In 1820.

What do you mean by visceral complaints?—I mean organic diseases of the liver, spleen, stomach, bowels, kidneys, lungs, &c.

You do not mean by that, complaints of diarrhœa?—No, I do not; I mean organic disease of any of the viscera; for instance, tubercles in the liver, I call organic disease.

Do you include in that general name diarrhœa?—No, I do not; although there have occurred occasionally cases of diarrhœa in that establishment, as there are every where; for there is hardly a family can pass a summer without some individual having what is called a bilious attack, by which is meant, an attack of diarrhœa.

Have you a similar report for the year 1822?—I have, and it is printed in the Minutes of the Committee of last session, and, perhaps I may be allowed to read that, as it is an important document, and alludes very particularly to this disease; it also gives a comparative statement of the health on board the hulks with that in the Penitentiary.

[A part of the same was read, as follows:]

The patients in the male infirmaries have not increased during the last quarter, taking into consideration the increased number of convicts; neither have they in the female, until after Christmas, since which period they have multiplied in a ratio far beyond any precedent, there being about 60 infirmary cases, which is more than there is actual accommodation for, but happily, one only of this number is seriously ill, their diseases being chiefly of a trifling nature, namely, pulmonic affections or common catarrhs, several complaints of the stomach, real, imaginary or affected, rheumatism, and a very few cases of slight fever, not attributable to any particular cause. It may perhaps be proper, that I should here state, that in my last inspection on the 6th and 7th instant, I have had more complaints, principally in the female pentagons, concerning the dietary, than during any former inspection since the change; but in candour, I must say, that I am perfectly unconscious of any injurious results to the health of the prisoners arising from that cause, if I were to except a few more cases of diarrhœa, but of this I am not as yet quite certain, for the prisoners who complain of their stomach and bowels, have knowledge enough to make them aware, that the present form of dietary is more likely to affect their constitutions through these organs than in any other manner; and as a proof of this fact, we have, on strict examination, found two or three individuals reported as suffering under diarrhœa, that on their evacuations being examined, had passed good figured motions.

The number of deaths during the past year amounts to twenty-two; namely, twelve females and ten males. The leading diseases of which they died, were visceral and a few cases of continued fever.

It may be satisfactory to the public to know, that notwithstanding the newspaper remarks in the month of May last, the health of the prison is hardly inferior to that of any community of persons in the kingdom, more especially when the previous habits of the individuals now under review are taken into consideration. The health of the prisoners during the last year, calculating this from the number of deaths according to the convict population, may, notwithstanding, be considered as a fraction less than in the preceding year: but if I were asked, on my oath, whether I considered this circumstance as likely to have arisen from the change of dietary, my answer would be in the negative; and if I were likewise asked, whether I believed

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Hutchison.

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I believed that a sufficient period had elapsed to give the present system of dietary a fair trial on the health of the prisoners, my reply should be, that I do not consider a sufficient time to have elapsed to answer this question decidedly, nor do I think a shorter period than two years from the commencement of the present system, to be long enough to come to a decision on this important subject, unless indeed some very unexpected indisposition were to arise among the prisoners in the meanwhile, of which I should give notice to the committee, or the visitor for the time being.

Anxious to offer to the committee a comparative statement of the health on board the hulks, and in the Penitentiary, I solicited of Mr. Capper of the Home Office, an account of the deaths among the convicts on board these vessels, and the following is that which he has been so polite as to furnish me with :

	Average number daily on board the Hulks.	Deaths.
1820	2,800	65
1821	2,800	64
1822, at Woolwich	650	18
— at Sheerness	900	13

In submitting this document to me, Mr. Capper mentioned, that the mortality at Sheerness was considerably less in 1822 than in former years.

From the above statement it is evident, that the number of deaths during the years 1821 and 1822 has been greater in the Penitentiary than among the convicts on board the hulks, and it shall be the subject of a few observations to endeavour to account for this circumstance.

First,—They are entirely male convicts on board the hulks, amongst whom the mortality has invariably, at least with us, been less than among females.

Secondly,—Convicts in the hulks are daily employed at hard labour in dock-yards or arsenals, which I consider a more healthy occupation than those pursued by the convicts in the Penitentiary.

Thirdly,—The greater number of convicts on board the hulks remain but a short period, or until they are embarked for New South Wales, so that their spirits are kept up in an anxious hope of a favourable change in their situations on their arrival in that colony; whereas with us, the mind being as it were constantly turned in upon itself, and there being very little prospect of emancipation until the full expiration of the sentence of imprisonment, added to the sameness of situation and objects, with the comparative sedentary life led, will tend in no small degree to account, in my opinion, for the trifling difference of health that exists between the Penitentiary and convict hulks.

The result then appears to me to be, that the convict population of this country enjoys as high if not a higher degree of health, as before stated, than will be found to exist in common life, as far at least as relates to the Penitentiary and convict ships.

Is the Penitentiary dry?—Perfectly so.

In winter as well as in summer?—Yes.

The lower apartments as well as the upper?—The lower as well as the upper; for I may mention here that the ground floor where the convicts sleep is elevated several steps above the level of the bank which you walk upon to go to the prison, but the surrounding high wall precludes the possibility of passers-by from seeing the elevated situation on which the building stands.

You never saw any damp at any season of the year showing itself upon the wall inside the prison?—Never, except in the under ground cells before they were occupied. Fires were kept there, and they were, I know, thoroughly dry before any person was put into them.

And since they were so dry no marks of damp have been seen?—No.

You mean by occupied, before the prisoners were confined there?—Yes.

Is it well ventilated?—With regard to the prison as a house, I should say, no house could, apparently, be better ventilated, but having had that question asked me last session, and on reconsidering all the circumstances of the case, I do not think that in the interior of the pentagons there is a sufficient circulation of air; it will be recollected that in my former evidence, I did recommend taking down the partition walls that separated one yard from another, and making a separation by means of iron stanchions or palisadoes, and which separation might be made as complete as it is now by walls, by having either canvas or tarpaulin to let down when the prisoners are in their yards. The turnkeys being always with the prisoners, also,

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would prevent any intercourse taking place between those of the different yards; but it does appear to me that the ventilation is not at present so complete as it should be. I would moreover while on this subject, with the permission of the Committee, just say, in addition to what I have stated, that, if it be the intention of His Majesty's government to cause that prison to be again occupied, I would, as a precaution, and in order to insure that degree of health, which it is so desirable should exist, recommend the removal of the exterior wall entirely, because it does prevent that current of air which I think so essential to the preservation of health in that place.

Do you think the manner in which the wards run together in very acute angles to be very likely to prevent great circulation of air?—I do; and I think what I have suggested now might be done without much expense, trouble, or time, but if that should not succeed in making the building what a private house is, I would then, as there is no opening excepting by windows, and as those do not come immediately opposite each other or the door, suggest the propriety of making detached buildings of the pentagons; every pentagon to have two large gates opposite each other, one of which to be thrown open, whenever the wind might blow in that direction, in order to admit the current of air. I merely mention this as a further resource, in case, notwithstanding the former precautions, a greater degree of pure air should still be necessary.

You have given a list of the number of prevailing diseases in the Penitentiary during the periods from 1817 to the end of 1822, do you consider the diarrhœa as one of those prevailing diseases?—My practice in the institution, excepting upon monthly inspections, was confined merely to the infirmary, and unless I were asked by the surgeon or any member of the committee to go at any other time into the prison, I never went; therefore I should say, that there were not more instances of diarrhœa admitted into the infirmary of that prison during the whole period I was there, than I should expect to meet with in common life.

Were those cases of diarrhœa which occurred, of a peculiar character?—No, they were not.

Had they any resemblance to the diarrhœa which afterwards fell under your observation in 1823?—The diarrhœa that fell under my observation then was a diarrhœa of a class perfectly distinct from that which existed before, and perfectly distinct from that which has existed since, as I understand. It is a diarrhœa which we find very frequently accompanying scurvy, and hence we term it scorbutic diarrhœa.

Was it resembling at all diseases which you have known to exist on board ship?—Yes precisely so, and in the Naval hospitals.

Is that a disease you have met with in common life ordinarily?—I cannot say that I ever met with a case of it in my practice.

Are you accustomed to practise among the poorer classes of the Metropolis?—Yes; I belong to two charitable institutions, the Westminster General Dispensary, and the Royal Infirmary for the diseases of children; the former being the most extensive of the kind in London.

In that practice you have hardly ever met with that disease?—Never once.

How many of the cases of diarrhœa, such as you have described prior to the recent disease, terminated fatally, that is prior to January 1823?—I am not very well able to answer that question; it is stated in a printed report of the physicians, but how far that is correct I do not know, that in one year there were two deaths, but I would observe, that very often a person came up to the infirmary with consumption; and the proximate cause of his death might be diarrhœa; very often also in cases of fever, the patient may die while diarrhœa is upon him; and if he should die while diarrhœa or dysentery is in full operation, then the surgeon may have inserted that as a case of dysentery or diarrhœa, when, in point of fact, it was a case of fever or consumption.

Is not what is termed diarrhœa, an ordinary termination of other complaints when they end fatally?—It is so of fever and consumption particularly, and also of some other diseases.

Were you furnished with a medical account of those that terminated fatally, which were alluded to in a former question?—I was.

Have you got them with you?—One of them is the paper I handed in just now.

The question refers to the physicians report, which the Committee conclude that you saw; have you those cases with you?—Here is an account of some of the cases, four of them, I think.

And the dates?—Yes; it was handed to me by the secretary of the Penitentiary; and

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and I presume, therefore, that it is a correct statement; I cannot answer for its being so.

Cast your eyes over that account, and give the Committee the history of those diseases?—It is quite impossible that my memory could furnish an answer to any of the cases; they are entirely obliterated from my mind, excepting one, the last case mentioned but one; Barnard Deans, he was a very singular character, and I happened to know a good deal of that man's case; he had been a very hard drinker previous to his coming to us; I believe his crime was bigamy; I have such a thorough recollection of the man, that I am sure that was the crime for which he was sent to the Penitentiary; I suspected very much he was an impostor on two or three occasions, as to diarrhoea, and I therefore had him placed in a room by himself; we had him watched, and he was found in the act of breaking down his faces with his thumb, to give them the appearance of diarrhoeal motions; this man had diseased liver and spleen, from the period of his admission.

Was not that the man that was entered in the books as aged 28, and looked more like 60?—He was.

Having bad health from the time that he entered the prison till his death?—Till his death.

Do you recollect any thing further of the cases that you have before you?—No, I do not.

Can you state at all whether the diseases were similar to this you afterwards saw in 1823?—Certainly not; they were unaccompanied by any scorbutic blotches.

Have you reason to believe that diseases were feigned in the Penitentiary?—Very great reason.

Did not persons in the infirmary receive indulgences both in company as well as in what they ate and drank, which persons in the ordinary cases of confinement did not enjoy?—They did.

Was there not always a desire to get up into the infirmary?—There was.

Do you recollect any particular cases of simulated disease?—I recollect perfectly the case of a man chewing flax, to produce diarrhoea; I recollect another case of a woman who feigned epilepsy; and also the case of a man introducing lime into his eyes to produce inflammation; and I had a suspicion, in one or two instances, of persons feigning madness, but that is one of the simulated diseases which is the most difficult to detect; there was, however, one woman of the name of Smith, who feigned madness so successfully that she was sent to Bedlam, and even imposed so far on the medical officers of that institution that they really believed her to be insane. She very soon, however, by the most dexterous ingenuity, not only contrived to make her escape, but to steal the clothes of the other patients. She was afterwards taken and returned to the Penitentiary.

Your experience as a naval surgeon, has taught you that simulated disease is very common among the classes of life that are principally found within the Penitentiary?—Very much so.

In the navy existing to a great degree?—To a great degree.

Not confined only to the men, but extending at times to officers?—Certainly.

Have you seen many boils on board ship among the diseases of seamen?—Occasionally.

And sore legs, have you seen that?—Yes, I have.

Has that extended very much under your knowledge?—I think that has not extended lately as much as it did formerly.

But formerly it used to exist very much?—Yes.

How do you account for that?—I think in those days the sailors were in the habit of either making ulcers on their legs, or extending those which did exist, or keeping them open by various means, by copper, by lime, by using needles, by knocking their shins against hard substances, and various other ways.

Do you think they were contagious without those means?—No, I do not think they were contagious; there was a malignant ulcer at one time which was so.

Did those scorbutic blotches which were in the Penitentiary bear that resemblance?—No, they did not; they were what are called scorbutic ulcers; they had no connexion with the other disease.

Do you think a scorbutic blotch, if it became an ulcer, would then be contagious?—I should think not; I am not aware that scurvy has, in any shape, been considered as contagious; but the ulcer of which I am speaking is quite a distinct ulcer from that which takes place in scurvy.

The Committee have been informed, from the medical reports, that the medicine

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known generally by the term of chalk mixture, was given to a very considerable extent among the prisoners; what was the nature of that medicine?—The chalk mixture, as I prescribed it in the infirmary for the patients, was composed of a certain quantity of chalk, water and mucilage; then there was half an ounce to a seven and a half ounce mixture, of the tincture of Columba added, and two drams of aromatic confection; because a cordial medicine was necessary.

For what diseases were you accustomed to prescribe that medicine?—In the infirmary I gave it in cases of diarrhœa as they occurred occasionally; and also when a prisoner complained of what is commonly called heartburn, or in medical language, cardialgia.

Was that a medicine that, upon the simple representation of a prisoner, being then in his cell, he had a complaint in his stomach, was a safe medicine to give, without moving him to the infirmary?—Yes; and a medicine that was sought after by the prisoners, because they said it produced a glow of warmth to their stomachs; and I should also add, that as I prescribed it in the infirmary, (and I had no reason to suppose that it was prepared in any other shape for the pentagons;) and there was likewise added to each dose of the mixture five drops of laudanum, to allay irritation in the bowels.

It appears, by the report of the physicians, that in the year 1817 there were 104 cases in which this medicine had been administered out of 246 prisoners, and in 1822 there were 88 cases, out of 866 prisoners; can you account for the difference being one-half nearly in the one case, and one-ninth in the other?—I can in no other way account for it than by supposing, that those were cases which occurred in the prison, and not in the infirmary, because that number never came under my knowledge, and knowing the fact of this medicine having the effect I have just alluded to upon the stomach and head, for the laudanum would in some measure be a kind of dram to them, by producing more pleasant and agreeable sensations than they had been in the habit of enjoying without it.

Do you think that the prisoners would have shammed complaints for the sake of having that dose?—Most undoubtedly I think so; and that they have done so, I am sure.

Then the Committee are to understand, that the exhibition of that medicine would not be considered as a decisive proof of a great extent of diarrhœa in the years in which it was given?—By no means, or any other medicine in any other disease, because it may be given under similar circumstances of feigned disease. They may complain when nothing is the matter with them, and those people, if they had not something given to them whenever they complained, would be very sure to find fault, and blame the officer to whom they applied for relief, whether it were necessary or not.

In 1817, there seem, according to the plan upon which this table is constructed, to have been 104 cases of diarrhœa out of 212 prisoners; do you bear in mind whether diarrhœa prevailed to that formidable extent, as by this table it would appear to do?—I am quite certain that it could not have done so to have come under my knowledge, otherwise I must have noticed it, for I had a very watchful eye over the health of the prisoners during the whole period I was there.

Then are you prepared to state, from your recollection, that in 1817 and 1818, when, according to this table, the proportion of cases of diarrhœa were nearly to the amount of one-half of the prisoners in the Penitentiary, that that statement is not correct, as to the prevalence of the complaint of diarrhœa?—Nothing like the number mentioned in those years ever came to my knowledge, until the present Committee began to sit, and I cannot believe it to be founded on fact, for if it had, I must certainly have recollected it, as a very striking circumstance.

In the report of the physicians, there is this sentence:—"Nevertheless, diseases did occur from time to time in the Penitentiary, but we discover in those communications no opinion expressed by the medical officers, that any one disease is predominant, or any one disease of a peculiar kind."—That was the fact; there was no disease of a peculiar character, other than that which I have mentioned in my reports, namely scrophula which I have mentioned to the Committee as prevailing to a greater extent in that building than any other disease, and I have suggested several things to obviate its increase, or to diminish the number that laboured under it.

Is scrophula totally distinct from scorbutic diarrhœa?—Perfectly distinct; it is a disease of the glands.

What is vulgarly called king's evil?—It is.

Were you not in the habit of going round the prison at the beginning of every month with Mr. Pratt, accompanied by the governor, in the part of the prison occupied

occupied by males, and by the matron, in the part of the prison occupied by females, and examining every prisoner personally, as to the state of his health?—Yes, I was.

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And were not most of the monthly reports signed by yourself as well as Mr. Pratt?—They were, undoubtedly, until June 1822, when according to my instructions the quarterly reports were only signed by myself.

Is it probable that a diarrhoea of a peculiar character, and very difficult of cure, could have escaped your observation during that time?—It is impossible; and I beg here to state that from the period at which the diet of the prisoners was changed in July 1822, I directed the surgeon to furnish me with a list every month, of the number of bowel complaints that occurred within the whole prison, foreseeing that the new form of diet was likely to produce such an effect, and he complied with my wishes. The number of such cases which occurred in the month of September following the change, was only eleven out of a convict population of upwards of 800; and this too at a period of the year in which those complaints are most prevalent. The list is dated the 2d October 1822.

Were you in the habit of attending the families residing within the Penitentiary?—I was.

Can you state whether they were or were not healthy?—They were healthy.

Did they consist of a great number of children?—They did.

Do you happen to recollect whether the first governor and the first chaplain had not, between them, fifteen children?—I do not recollect the number.

Do those families live in the hexagon building, in the centre of the prison, surrounded on every side by the courts inhabited by prisoners?—They do; but they have egress out of the walls, have better food, air and exercise than the prisoners, who, of course, are precluded from such advantages, and they are exempted also from the moral causes which have been so frequently mentioned.

Do they live in the two lower stories of that building?—I believe the sleeping rooms are in the upper story.

Do you happen to know whether the master manufacturer or the steward have any rooms at all in the upper story?—I alluded to the governor and the chaplain.

Has any other officer any rooms at the upper part of the building?—Mr. White's apartments are in the centre or one pair.

Who is Mr. White?—The master manufacturer.

May not a dysentery, which would not be contagious among people having the disorder, living separately, become contagious, where a great number of persons having that disorder are congregated together for a considerable length of time?—Yes, it may.

Do you know any thing of the diseases in the immediate neighbourhood?—I have made it my business to make the inquiry, and I find that the neighbourhood of Tothill-fields, in every direction, on one side and the other of the Penitentiary, enjoyed a degree of health, equal, I believe, to any other part of town.

If they have disease, is it of a peculiar nature?—I have no reason to think so.

Was diarrhoea prevalent among the patients of the Westminster Dispensary in the hard winter of 1822-3?—No, I am not aware that it was; there was a good deal of disease of every description.

Never this diarrhoea?—When I speak of diarrhoea at that time, I speak of it as scorbutic diarrhoea.

Would the severity of scrophulous cases be aggravated by any local situation?—I think it might.

Do you conceive the situation of the Penitentiary to be such as would aggravate that?—I have no reason to think so; I conceive it was the want of that kind of exercise they were in the habit of having before they went there, of nutritious food and moral causes, that principally operated against the recovery of such cases.

Do you conceive a more extended system of exercise would be beneficial to the health of the convicts?—Very much so.

Should you think that any portion of the prisoners, who may be considered as free from disease at present, could be returned with safety to the Penitentiary?—That is a question that I do not know how I can very well answer, as I am not sufficiently acquainted with the present state of the disease to form an accurate opinion; but I should think that with regard to those it might be attended with risk; such observation would not however apply to new prisoners.

It is your opinion that fresh prisoners might go to the Penitentiary without risk?—They would be just as free from disease as they were in the healthy period of

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the Penitentiary; and more so, because the building is more dry now than it was then.

Do you think there is anything noxious or peculiarly liable to create disease in the Penitentiary?—I do not see why there should; excepting it be, perhaps, the circulation of air not being so perfect there as it might be made.

Is there not a greater circulation of air in the Penitentiary, than is existing in the small streets of the metropolis, in which the poorer classes generally live?—I do not think so, because in such places there is a current of air; there are windows in the front and back; there are chimnies and doors, and all those openings make a constant current or perflation of air, which is not the case in the courts in the interior of the pentagons; if the building of each pentagon could be divided into two, so that fresh air might displace the foul, I think it would be as perfect as in any private house; but at present, I do not think that is the case.

Supposing the old diet to be renewed, and in case of the Penitentiary becoming re-peopled, do you think such a winter as the winter of 1822-3, would be likely to cause the disease again?—I have no reason to think there would be more disease there than in any other situation, provided the pentagons were sufficiently heated, and that the other precautionary measures before alluded to were adopted.

Does not that observation of yours apply particularly to pentagons, 5 and 6?—More particularly; but the two first pentagons always appeared to be warmer than any of the other pentagons, and I thought them all colder than was desirable during the winter of 1822 and 1823.

As long as you continued to act at the Penitentiary, did the disease yield to creta mixture?—The creta mixture was not given alone for scorbutic diarrhœa; it was combined with other medicines.

You mentioned in a former answer, a removal of the exterior wall would be beneficial; how would you provide for the protection of the prison?—I should think it would be sufficiently secure without the external wall; I think you might have iron stanchions sufficiently high; there is a wide passage between the sleeping cells and the exterior wall, so that the prisoners would have to break through two walls in one night to effect their escape.

Have you any idea how high that wall is above the ground-floor of the prison?—I cannot exactly say; but this I know, that if that wall were removed, the building would appear to stand upon a hill, and therefore the wall makes people fancy as they pass by, that the foundation is low, which is not the fact.

Is the site on which the prison stands, higher than the road which passes along it?—It is; I have stated before that you have to ascend two or three steps to go into the building.

Would you think it necessary to take the wall down lower than the first floor of the building?—Yes, I think it might be necessary.

You have stated to the Committee here, and you have repeatedly stated to the committee of the Penitentiary, while you were an officer of the establishment, that the health of the prison was good from month to month, and from year to year; will you explain how you came to such a conclusion, after what you have read of what has been stated by others?—I think the best answer that could be given to that question, would be by referring to the number of deaths that have occurred in the establishment from year to year, and comparing that with those which occur in common life; and I am sure the Committee will find, that the degree of health is greater in the Penitentiary, than in any given number of persons in any other situation; at least, that is the conclusion which I came to.

Do you believe that if the old dietary were restored, or one equally generous, and more exercise given to the prisoners, that the prison would be at least as healthy as before the commencement of the late disease?—I see no reason why it should not be so; I certainly set a very high value on fresh air and exercise, and I have suggested, that a greater circulation of air should be obtained, if it be possible.

Is the neighbourhood of the Penitentiary, according to your experience, peculiarly damp?—I am not aware that it is; the surface of the earth in the neighbourhood of the Penitentiary does appear, in very rainy weather, to be damp, and once I have seen it after very heavy rains a complete sheet of water.

In the neighbourhood of the Penitentiary?—I mean the land surrounding the Penitentiary.

Is not that ground particularly well drained, all the ground lying behind the Penitentiary up towards the road?—It is well drained; but I think it might be better drained still.

Does

Does ague prevail to any extent in that neighbourhood?—I think there is only one case of ague recorded during the seven years of my officiating as medical superintendant.

The question refers to the contiguous neighbourhood?—With reference to the neighbourhood, I am not aware that ague prevailed there.

You have stated, that you think the additional circulation of fresh air would be very advantageous to the prisoners, supposing that it was the intention of Government to re-occupy the Penitentiary; have you any other improvement which your experience there enables you to suggest?—I cannot now say, I think I have alluded to most of the circumstances that have occurred to me, as likely to preserve and keep up a degree of health in that institution equal to that of any other situation near London.

They consist of a healthy dietary, better ventilation, more exercise, and increased warmth?—Exactly so.

With those alterations and amendments, is it your opinion that it would be safe to send new prisoners to that establishment?—I think so. I may be wrong; but it is my opinion, that it would be perfectly safe, and I give that opinion from an experience of seven years; and from the mortality which has taken place during that period out of the number in the prison I think will bear me out in that opinion.

Clement Hue, M.D. called in; and Examined.

YOU were called into the Penitentiary in the course of last summer?—In July.

To assist in the medical care of prisoners there?—Just so.

You are one of the physicians that have signed the report of the 11th of October last?—Yes.

Can any inference be drawn from the use of the cræte mixture or cræte powders alluded to in that report, in regard to the nature of the diarrhœa that is supposed to have prevailed at that time?—An inference can be drawn from the prescriptions of the existence of diarrhœa in the Penitentiary.

Can any conclusion be drawn from the exhibition of that medicine, as to whether the diarrhœa was a common diarrhœa, or attended with any of the circumstances of the late disease?—Not absolutely from the medicine itself, but from the repetition of the medicine in several cases; I think an inference may be drawn that the diarrhœa was not one that would yield immediately to ordinary remedies.

You have stated in your report of the 11th of October, that a disorder of the bowels of a peculiar nature, at all times difficult of cure, and of the same general character with that which constituted the late epidemic, has prevailed in the Penitentiary ever since its establishment; from what circumstances do you infer the peculiarity of its nature?—I have already answered that, I conceive, in the last answer which I gave, namely, its requiring the frequent repetition of the ordinary medicines.

When the physicians constructed the tables which are stated in that report, did they make any particular lists of the number of times which each individual had had the medicine exhibited to him?—I do not know that they noted every particular case and every particular time when it was given, but they noted it in most instances, I think, as far as they were known, to Mr. Pratt, who was continually by our side, reading his own notes.

Was not the mode in which these tables were framed as follows; that Mr. Pratt read from his book, and that one of the physicians took down alphabetically the names which he mentioned, as having received the medicine alluded to?—Yes; but all the physicians were present and attending to the subject that was going on, and occasional observations were made.

Were there any other lists made of persons having the medicine than those which have been alluded to, and which are now in the custody of Mr. Pratt?—There was a rough copy made, now in Mr. Pratt's possession.

If the Committee understand the mode in which the tables were framed, it was this, that Mr. Pratt read out of his day-book the name of every person that took the chalk mixture, that then, one of the physicians took down alphabetically upon a piece of paper, the name of every person who was stated to have had that medicine; were any other lists made but the tables which were drawn up from Mr. Pratt's books, except that paper which has been alluded to, which is now in the custody of Mr. Pratt?—I do not recollect that there were.

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Was it noted in that paper, or any other, how often each person had it in the course of the year, or was the name once put down continued when the name was read again without any fresh note or memorandum?—As often as it was repeated; the same name, I believe, was only marked in the course of one year, and then, if the same name occurred next year, it was then noted again.

If the same name occurred in the same year, was any note made of that occurrence?—I believe not.

In fact no distinction was made between a prisoner who had it once in the year and one who had it ten times?—Yes, there was; though perhaps it might not have been stated; but whenever a name occurred a second time, it drew forth some observations, but I do not recollect that any written memorandum was made of it.

Can you at all state from recollection, what proportion of the cases in which the mixture appeared to have been given, were cases in which it was given more than once in the course of the year?—No, I cannot recollect.

Do you believe that a very large proportion of those cases were cases of single delivery within the year?—The impression upon my mind was, that they were not cases of single delivery; that there were many of frequent recurrence.

By many do you mean one half?—No, not that proportion, certainly; several cases; I cannot numerically state what proportion it was.

Is not the knowledge of the number of cases in which the medicine was repeated important, in order to ascertain whether it was of a peculiar nature?—Not altogether.

The report states, "These records show how pertinacious and intractable it was in many whom it attacked," does not that imply that a considerable number of cases in each year, were cases in which the medicine was very frequently delivered?—Yes; but that expression is not only founded upon the recurrence of the cases in the year, but in subsequent years.

If a prisoner had taken the medicine once only in the year, would that tend to any inference?—No.

Would a number of such cases?—A number of cases would certainly excite a very strong suspicion.

Do not most persons in this country experience a looseness of bowels once at least in the course of the year?—I think not generally; and at this present moment I am returned from St. Bartholomew's hospital, where I have been seeing sixty out-patients, and in the whole of that number, there was not a single bowel complaint; and I may extend that observation to the last three months; and I may say I have the same number in the wards of the hospital, and I do not think in all that number, with the exception of one dysentery case, a sailor whose health had been shattered in the West Indies, that we have had any bowel complaint at all.

You have stated in that report, your belief that but for the change of diet and the severe and the long protracted winter, the disease would never have assumed the form of an epidemic?—Yes.

The Committee have before them the list of prisoners, male and female, who were received since the 26th January 1823, distinguishing such as have had the prevailing disorder; it appears by this list, that 127 prisoners were received since the 16th of February, males, of whom 98 have had the disorder; and that five females have been received since that time, the last on the 19th of February, all of whom have had the disorder; to what cause can the circumstance of their having had this disorder be imputed?—A very strong presumption exists in my mind, that this was at the first a mild and simple form of disease, at least comparatively speaking, for the term diarrhoea and dysentery are the two extremes; but it appears to me, that the disease in its progress has acquired that degree of virulence, that a strong presumption in my mind exists of its contagious character, at least we thought it our duty to act upon the presumption that it was so.

Is it possible to account for the illness of these prisoners on any other principle than that of contagion?—It is difficult to account for it; I should have very great difficulty in finding an adequate cause.

Would your notion of the probability of contagion be strengthened by the circumstance of several of those prisoners having the disease a very few days after they came in, namely, P—— who came in on the 20th of May, had the disorder on the 26th; L—— who came in on the 4th of June had it on the 8th of June; D—— who came in also on the 4th, had it on the 11th; do not these facts very much increase the probability of contagion?—Very much.

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If any local influence was concerned in producing the disorder, is it not probable that the families of superior officers, living in the centre of the building, would have been in some degree unhealthy?—It is very probable that they would, but the operation of that local influence might not perhaps have taken effect upon the families, whose mode of living differs entirely from that of the prisoners confined; it is likely that the predisposition would not exist in such a degree in the one as in the other, the predisposing causes which would operate upon the one would not operate upon the other.

You apprehend, then, that the difference of life, and what are called moral causes, between the families of the superior officers and the prisoners, might make the difference of one showing the effect of the local influence, and the other not?—I do not think it would entirely establish an immunity from such an influence, but I think, speaking comparatively, that they might be less liable to it than the prisoners, but I do not consider them as secure.

Would not the fact of their being healthy, operate in a certain degree, against the belief of a noxious influence in the place?—Not altogether, considering the circumstances that I have mentioned, and that that noxious influence would be counteracted by the mode of living.

Would not the circumstances that you have mentioned, operate also to the protection of the inferior officers?—In a less degree.

Why in a less degree?—Because I suppose they do not live in the same manner and with the same comforts as the superior officers.

They are exempt from the moral causes, they live of course better than the prisoners, they go frequently out of the place; all those causes, therefore, would operate upon them in common with the superior officers?—All those causes would, but there are others which would not.

Are you aware of the number of inferior officers employed about the prisoners, who have suffered from this disease?—I am not aware, at this moment, of the number who have suffered.

Is not that an important inquiry in considering this subject?—It is an important subject, and it was taken into consideration.

Are you aware, that as many as twelve male officers employed about the prison have had this disorder at Milbank, and six female officers; and that Doctor Bennett, whose attendance upon the prisoners leads him very much into the infirmary, has had it slightly, and that the matron also had it slightly; do not those circumstances tend very much to establish the fact of contagion?—They are the principal facts upon which the presumption, that I have just now mentioned, of its contagious character is founded.

If the fact of contagion be established, is there any circumstance connected with this disease, which should lead you to imply the necessity of any noxious local influence; would not contagion answer for all that has passed?—I do not think so; because I do not consider that the contagious character of the complaint was at all established or existed antecedent to the severe form in which it afterwards presented itself; that is, not in the milder form of the early cases of diarrhoea which have been referred to, but which did not come under our own observation. Although I do not pretend to say the precise period when it became contagious, and when it ceased to be so, still I have reason to presume, that it is only in the aggravated form of the disease that it possessed any contagious character.

Did not the disease show itself in aggravated forms before the dietary, supposed to be injurious, was changed, and the cold of the winter was passed away; the question alludes to the dysentery affection?—I only heard that as a matter of report.

Did not all of those almost take place in the early part of the time?—Yes; I was only answering as far as my own observations, whilst in attendance, are concerned.

Might not the disorder have been produced, as was originally supposed by the physicians first employed, by cold and by injurious diet, and afterwards be continued by contagion?—I should have thought it might have originated in those causes, had we not had access to those records which have been alluded to, by which we trace the existence of the disease to a much earlier period.

Is the notion of noxious local influence entirely founded upon the use of the chalk mixture and powder?—It is entirely founded upon the existence of the bowel complaint, and the existence of the bowel complaint is inferred from the medicine that is given.

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As proved by Mr. Pratt's day-book?—By the books put into our hands by Mr. Pratt, the day-book and the account of the medicines supplied from Apothecaries' hall and the medicines used, and I have no doubt, if those documents were put into the hands of a medical committee, they would be of opinion that no other inference could be drawn from them; the combination of chalk and opium is not given in ordinary cases, except some irritation of the bowels exists.

Although such medicines may not be given for a common bowel complaint in ordinary, do the physicians know whether it was or was not Mr. Pratt's custom to give such medicine for an ordinary bowel complaint?—Mr. Pratt said that he gave it whenever a person complained of a pain in his bowels; he concurred with us in the inquiry; he knew our object; he interpreted his own book; he commented on his own text; and he procured us every information that we could possibly wish.

Do you mean that Mr. Pratt drew the same conclusion that you did?—I do not know what conclusion he drew.

Do you know how many officers there were employed in the Regent's Park that never were employed in the Penitentiary?—No, I do not; I used to go round now and then to the Ophthalmic, but the patients there were not immediately under my care, I merely took a general survey of the infirmary, preparatory to drawing up a report on the subject.

Do you at all know what number of persons inhabited the Penitentiary since the removal of the prisoners?—I know nothing of the Penitentiary since I left it, since the latter end of October.

If the Committee informed you that about forty persons had been living in the Penitentiary ever since, and that there has been no instance of disease in the Penitentiary, is not that a fact tending to diminish the probability of any noxious local influence?—I think not, altogether; for the circumstances in which they have been living I dare say are very different from those circumstances in which the prisoners are placed; I dare say they have not slept every night within the walls of the Penitentiary, and have enjoyed free egress and ingress.

Having, in the report of the 11th of October, drawn inferences unfavourable to the healthiness of the prison, from the proportion of prisoners supposed to be treated as patients having diarrhœa in each year, can you state what proportion of patients might exist in the prison without leading to that inference?—No, I cannot; I can only form my opinion as to the prevalence of diarrhœa from other establishments; I have already stated, with respect to St. Bartholomew's hospital, I have not a patient there of diarrhœa; I am likewise physician to the Foundling hospital, and have been so for about six years, and there have not occurred, I believe, half a dozen cases of diarrhœa in the whole time.

According to the tables that you have shown, you consider the children to be particularly liable?—They might be particularly liable, from various accidental causes; that observation is merely connected with what I have stated respecting the Foundling.

Do you conceive, that the fact of fourteen children being born in the Penitentiary, of whom two only have died, one of teething and the other born of a weakly mother, and supposed to have a humour at the time it was born, to be an evidence at all of the healthiness of the place?—A solitary fact like that would not establish so general a conclusion.

Is it not a fact in support of the healthiness of the place?—It is a solitary fact altogether, to which I should not attach much importance.

Were the number of deaths in the year 1821, as stated in the Table annexed to the Report of the Committee of the House of Commons of last year, such as to prove that the prisoners were healthy or unhealthy; the proportion appears, by the return, to be 17 out of 631; is that proportion of deaths greater than might be expected in so large a number of persons in the prison?—No, I do not think that is a great proportion.

If you were told, that upon a more minute examination of Mr. Pratt's day-book, upon distinguishing those who had one delivery of medicine from those who had more, the cases stood as follows; namely, the whole number of persons having the chalk mixture or powder at all, in 1822, amounted to 122; that those who had it once only amount to 71; that those who had it twice amounted to 28; that those who had it three times only amounted to 7; that there were 8 who had had it four times; one who had had it five times; two who had had it six times; and five only who had it more than six times delivered to them, would you then think

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think that the number of cases in which the chalk mixture was delivered proved that place to be unhealthy?—Certainly; if you can state so many cases within a limited proportion, in which the chalk mixture was given in one year, and in some cases repeatedly, I should infer a very strong suspicion of the unhealthiness of the spot.

Do you take into that consideration, that the person giving it gave it as of course, in cases of complaint of the bowels?—I suppose that he gave it of course, in those cases in which a medical man would always give it.

If Mr. Pratt states, that whenever a person complained of a pain in the bowels, that he gave that medicine, do you then conclude those cases prove the unhealthiness of the prison?—Certainly it is a strong presumption of the unhealthiness of the prison, that bowel complaints were so universal, though mild yet repeated, some of them recurring more than six times in the year.

Do you consider that any allowance should be made for imposture?—Yes; but I should conceive that a medical man might always be on his guard against imposture.

Would not the medicine be given once without inquiry?—I should think not.

Was any inquiry made of Mr. Pratt respecting that?—Mr. Pratt said, he gave it whenever they complained of pain in the bowels.

As you have examined Mr. Pratt's books, you probably know, that in many cases they went up in the infirmary one day, and came down the next?—That is very probable.

Is it not probable that many of these cases were cases of imposture?—I have no ground for supposing so, because the diarrhœa may be checked in one day.

Have you not, in the course of your attendance at the Penitentiary, seen a great deal of imposture on the part of the prisoners?—I have seen a great deal.

Do you not know, that a great deal of the medicine given has not been taken?—Some of the medicine given has not been taken; but I do not know that a great deal of it has not been taken.

With all the care that the physicians could take, do they not know that fifteen pills have been picked up in the yard in one morning; from that circumstance, is it not likely that a great number were not taken?—There might have been 1,500 nearly prescribed for the patients. It was the most common and commodious form of exhibiting medicine; and whenever we particularly wished them to be taken, we made them take them before us. I saw them every day; so that every day I was sure that some of the medicines were taken.

It appearing from the evidence already given, that this medicine, the chalk mixture, was grateful to the prisoners, if Mr. Pratt was in the habit of giving it whenever they made complaints of the bowel complaint, is it not likely that a very large proportion of the deliveries here stated were deliveries obtained by imposture?—I do not know that the medicine is particularly grateful, except in its effects; it is not particularly palatable, and can only be termed grateful from the alleviation of pain which it produces.

Will you state what was the meaning of the answers given to two questions on the 15th of October, to the following effect:—the first question is, "Whether, under the present circumstances, it would not be advisable, with a view to complete the re-establishment of the health of the Penitentiary for future purposes of confinement, that all the prisoners now confined in it should be removed?" and the answer is, "We think it would be advisable." The next question and answer is, "Do they consider there can be any danger from the admission of fresh prisoners into the Penitentiary, after the present prisoners in it shall have been removed from it, and proper cleansing and fumigating shall have taken place;" the answer is, "When the prisoners have been removed, and the Penitentiary has been properly cleansed and fumigated, and the severe months of winter are passed over, if fresh convicts are placed in it, we can assign no reason why the health of its inmates should not be as good as it was in 1821; but it is essential, that the diet of the prisoners should not be less nutritious than it was in that year." Is that answer an answer which encourages or discourages the opening of the prison?—It is a qualified answer, and I, for one, would not take upon myself the responsibility of decidedly recommending it; *it was a qualified answer*. We selected the year 1821 as the year in which the least sickness prevailed, when the unhealthy character of the spot had been counteracted by considerable improvements, and the natural character of the place was corrected, even then there was sickness prevailing, and the existence of disease, even under those favourable circumstances, certainly would excite considerable apprehension in our minds as to the future occurrence of it, when the prisoners should return to it.

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In what manner do you expect the Committee to act from that answer?—I do not know; I am sure the answer is given according to the best of my judgment. It is not possible, from the experience of the past, that we should positively answer as to security for the future.

You have stated, that in your opinion there is something in the Penitentiary that is of a noxious character to the health of its inmates; will you be so good as to inform the Committee what that is?—I cannot possibly; whether it is in the air, whether it is in the water, or whether it is in the confined spot, or the discipline, and the system practised there, it is impossible for me analytically to consider the question; I am at the same time aware, that if the subject admitted of being so examined, it would lead to an irresistible conclusion, but the subject does not admit of it, and I should rather be disposed to consider it as the result of the combined operation of all those circumstances.

By the table which you have constructed in your report, the prison appears, in latter years much less subject to disease, or to this peculiar disease, than in the preceding years; that is to say, that in 1821 and 1822, one-ninth only of its inhabitants received this mixture, whereas, in 1817 and 1818, there were nearly one-half; to what cause should you attribute that?—I should attribute it to the gradual improvement of the situation, by the completion of the building; draining had been carried on probably to a great extent, and an improvement of the situation altogether; a regular progressive improvement of the spot, by which its natural unhealthiness has been corrected.

Should you think, then, supposing that that table of your's is drawn up with all the correctness which no doubt you attempted to give to it, and that all the data are correct, that one-ninth of the prisoners being attacked by the diarrhœa, in its mild and qualified form, which it certainly was at those periods, is not a decisive proof that the place itself was considerably more wholesome than it was in the first instance?—I should consider it as a decisive proof that the place is considerably more wholesome, though that noxious influence is not completely extracted.

Do you think one-ninth a decisive proof that the inhabitants were prone to that particular disease?—Yes, I should.

Have you ever learned whether that proportion, or even a greater proportion than that, is a prevailing disease in all places of confinement in prisons, where persons are for a length of time in houses of correction, or places of that nature?—I am not aware that it is in that proportion.

Supposing that the fact was to be made out, should not you think that it was connected more with moral causes, than with the noxious situation of this particular place?—I should consider that there are physical causes still operating independently of moral ones.

Then supposing that the case was to be made out of a similar degree of disease existing in healthy situations of prisons in the country, and in healthy situations of prisons in the metropolis, would you not think that physical causes, as well as moral, independent of site and noxious situation, were the causes of that complaint?—If the circumstances of both institutions were the same, it would, of course, excite some doubt in my mind, but unless the combination of causes should be found united in both instances, I should still adhere to those suspicions which had originally been excited in my mind by the occurrences of 1817, 1818, 1819 and 1820.

Supposing you were to be told that wherever prisoners are assembled together in any country, even the most favoured, where they are confined for terms of years, that this is a very common complaint amongst them, should you think that the peculiar locality of the situation, entered into the cause of the complaint?—If it occurred in other situations, independent of the objections and circumstances alluded to, I should not of course.

What improvements do you conceive to have taken place within the last six years in the ground immediately connected with the Penitentiary?—The completion of the building.

Would not the completion of the buildings, by obstructing ventilation in some degree, rather tend to increase the objection to the Penitentiary than diminish it?—No, I do not think it would.

Are you aware of the foundation of the Penitentiary having been completed for a long time?—Yes, I am; but still the spot is every day undergoing improvement.

In what way do you conceive it is so?—The surface of the soil is every day altered, the gravel walks have been raised, and every thing seems to be in a state of progressive amendment.

Do

Do you conceive that the raising the yards three inches by gravel, can have made any material difference?—Certainly some difference; I mention it merely as a circumstance that occurs to my mind at this moment.

Do you know whether the immediate vicinity, taking in the district in which the Penitentiary is built, is considered as unwholesome?—I know that it is considered so, but my information is derived from reports and from conversations collected at different times, and I should think that that evidence would be hardly fit to be submitted to the Committee.

Have you ever heard that those districts which are subject to the fresh air coming along with the tide twice a day, and that are known in London by the name of long shore districts, are the most healthy portion of the metropolis?—No, I am not aware of that.

May the Committee ask you who drew the report of the 11th of October?—We all drew it; we met together, and every one, I believe, contributed some sentence.

Then that is to be considered not as the work of one, but as the joint work of all?—Certainly, in which we all fully concurred.

How soon did this notion of the unhealthiness of the situation prevail?—I can only answer for myself; it was very much excited by those documents which were put before us, and which I have alluded to; in fact, when we were first called to the Penitentiary, all our time was taken up in immediate attendance upon the sick.

At what time did you become of that opinion that the situation was unhealthy?—We had a suspicion in our minds all along, but such a suspicion was not founded upon any observation or any fact; it was a mere surmise.

You are aware that in the report of the 5th of April, the two physicians negative that fact distinctly?—I am answering for myself; the physicians were not themselves in possession of the facts which were afterwards submitted to us.

How soon did the impression become a strong one in your own mind?—It became very strong upon our own minds at the time that we prepared the report, and looked back for that purpose.

Was the report prepared any time before it was laid before the Committee?—No; I think about a fortnight.

Supposing the place to be unhealthy, was it probable that prisoners should ever be cured there?—Yes, it is probable; we often see in agueish countries, that a person recovers of an ague, though in the very centre of the place, where, in fact, it was bred.

What should you say of the healthiness of a prison with regard to situation, where only one case of ague appeared in the course of seven years?—I should think it a strong presumption in my mind of a healthy situation if that solitary fact was submitted to me; but my opinion does not rest upon one solitary fact, but upon a variety of circumstances of which I have given a very imperfect detail; the influence of situation may show itself in a different way, than merely in the production of an ague.

In ascertaining the nature of the disorder that prevailed at the Penitentiary, would it not have been more important to have inquired into the frequent recurrence of diarrhœas in the same patient, than to have inquired into the recurrence of them in different patients in a number of years?—That was not overlooked; we did not write any minutes of it, but we did not lose sight of it; in fact, we did not wish to exaggerate the statement.

Whenever a case occurred in successive years, it was noted in the table?—Yes.

Even though it was a single case?—A general principle was to be followed.

The Committee understand your opinion to be, you do not think it would be safe to re-people the Penitentiary?—I said, that the experience of the past would shake our confidence in the future.

Supposing the Penitentiary to be re-peopled, and the old dietary restored, might not the disease be so watched, as to prevent danger to the lives of the prisoners?—Certainly, it might be watched.

Supposing the Penitentiary to be again inhabited, what means would you recommend as likely to increase the salubrity of it?—There are no means that I can immediately suggest, except the general improvement of the spot, if noxious influence was in the place, that character may still remain, though somewhat improved and somewhat corrected.

Dr. Hue.

(March 11.)

Would you recommend any attention in the ventilation?—I think it is very well ventilated; I see no objection to the manner in which it is ventilated.

Do you think any additional exercise might be imposed?—Certainly.

Had you any opportunity of seeing the Penitentiary during the cold weather?—No, I had not.

Do you conceive any alteration in the diet would be advisable?—A good generous diet would tend very much to preserve the health of the prisoners.

Do you think the exterior wall is prejudicial to the health of the prisoners?—It may in some trifling degree obstruct the circulation of air; but it has not struck me, as a matter of moment, considering the high ground upon which the main building stands.

Do you think if the ditches were covered up, and the marsh all around raised three feet, that that would produce any difference?—A material one.

Are you aware, that within the last three months, that ditch which surrounds it has been connected with the Thames, so that the water may be changed at any moment?—I am aware of that.

Do you think that is a material improvement?—I do consider it a material improvement.

William Macmichael, M.D. called in; and Examined.

*Dr.
Macmichael.*

(March 11.)

IT is stated in the physicians report of the 11th of October, that the diarrhoea which is supposed to have prevailed, was of a peculiar nature; is any thing more meant, than that it appeared to the physicians to be difficult of cure?—I understood it to mean its obstinate character, that it was extremely difficult of cure.

Did it imply that it had any other characteristics of the disease which has since been prevalent?—No, we had no means of judging of anything but its existence.

Do you know whether any lists or memorandums were made of the number of times when this chalk mixture was delivered in the course of any year?—No, there were none; in fact I was the amanuensis chiefly, and there were no other; we were obliged to adopt a particular plan, and therefore we adopted an alphabetical arrangement of the names.

Would it not be very important to know, whether a person put down and treated as a patient in diarrhoea, was treated so one day in the year or twenty days?—Certainly, very important; and if we had so put down the names, it would have been a fairer statement than the statement we actually gave.

Supposing it should turn out, that very few of the persons to whom this medicine was delivered had it more than once or twice in the year, would that materially affect the conclusions?—I think if every one of them took it only one day in the year, it would be a very extraordinary diarrhoea.

Do you not think, that a prisoner applying once, and not having the dose repeated, is very likely to be found out to be an impostor?—I can conceive no motive; they have no privileges in consequence of being invalids.

Were not many of them admitted into the infirmary?—Many of them were; there was a distinct register of those.

Do you mean, that all those who went up into the infirmary were included?—They were all included, but half of them were never in the infirmary.

Might they not ask for medicine to get into the infirmary?—They had no privilege in the infirmary.

Have they not the privilege of seeing their friends without any grating between them?—I am not aware of the regulations.

You are not aware that there were times in which prisoners in the infirmary might get things into the prison?—I am not aware of that.

Was not the dietary in the infirmary different?—I am not aware of that.

Upon a more minute investigation of Mr. Pratt's books, the following appears to be an abstract; in each year every patient's name has been put down, and the date of every delivery of medicine has been stated in the table; and that is the abstract of the different years, the number of people who had the delivery, once, twice, three times, four times, five times and six times, and above six; in which it appears, that in the year 1821, out of 113 cases, that there were but five that had it above six times in the year, and 71 once, and 28 only twice; do you think, on looking over that table, that that proves the existence of bowel complaints to any great degree in the prison?—Yes, I do; for I looked at the reports from different prisons, and I did not find that it was a common complaint.

Do

*Dr.
Macmichael.*

(March 11.)

Do you suppose that there is any single prison, except the Penitentiary, where every single dose is noted?—No; but still it would be noticed where it was the common disease. I looked, yesterday, into the registers of the Middlesex hospital, and I found that the average was only one case of diarrhœa out of 37 general cases.

Do you mean one case in which this medicine was given?—No; the disease of every patient is registered as he comes into the hospital.

Is a bowel complaint for a day usually put down as a case of diarrhœa?—No; but it is rare that people take chalk mixture for only a day.

Do you not understand that Mr. Pratt went round the prison every morning?—I believe he did.

And that whenever any prisoner complained of a bowel complaint, it was given as a safe medicine?—It is never given by any medical man, but for a diarrhœa.

Was any inquiry made, whether he was in the habit of giving it profusely?—I asked him whether he was not struck with the great number of cases in which this medicine was given.

Did he not inform you that he gave this of course to every man that complained of bowel complaint?—Yes.

Is it usual for persons living in the world, having a bowel complaint for a day, to go to a medical man?—No.

Are they admitted into an hospital for two days bowel complaint?—No.

Is there not, therefore, a marked distinction between prisoners taking this medicine who are consulted every day as to their health, and persons applying to an hospital, or living generally in the world, out of prison; would not the number of prisoners taking this medicine be greater than the number of persons under the other circumstances alluded to?—I do not know why they should sham that disease particularly.

Would not many a man take a medicine, if he were consulted as to his health, who would not think of going to a physician for a bowel complaint of a single day?—Certainly.

Have you not heard that imposture has been very common in the prison?—I can conceive it very easy after the epidemic broke out, because then they had some motive.

Have you never heard that prisoners have been detected chewing flax, to give themselves the diarrhœa, before the epidemic broke out?—I conceive it very possible.

Was not Mr. Pratt of opinion, that a great many instances were cases of imposture?—He did not mention it at the time.

You have stated in your report, that but for the change of diet and the severe winter, the disease probably would not have assumed the form of an epidemic; how do you account for the circumstance of a very great number of the prisoners having had this disorder who came in after the diet supposed to be injurious was changed, and after the cold of the winter had ceased?—I should think that the same causes produced it in them which produced it in the early years of the establishment.

Supposing some of those should have had it very few days after they came in, could that have been produced from any noxious local influence?—Not very likely; but for my own part I was not disposed to think the disease contagious.

Is it consistent with your experience as a physician, that a noxious local influence should produce this disorder in a few days after?—It would depend very much upon the state of health in which a person was; some would suffer earlier than others.

Would that local influence that you have told us exists in the Penitentiary produce the disease in four or six days?—It is not likely.

If any noxious local influence should have been capable of producing such an effect, is it not likely that it would affect the health of a number of families residing in the centre of the prison?—Yes, it would affect them, but not so much as the prisoners.

Are you aware that the families living in the centre of the prison have been extremely healthy?—I believe they have; I think I heard that Dr. Bennett had suffered, but I do not know it of my own knowledge.

Was not that instance of suffering of Dr. Bennett's family, after having taken a maid servant out of the prison, who had a relapse while in his family?—I do not know.

Dr,
Macmichael.

(March 11.)

Can you account otherwise, than by admitting contagion, for the fact of a number of the inferior officers who were employed about the prisoners in the prison having this disorder?—Yes; they were subject in a smaller degree to the same influence which produced it in the prisoners.

Can you account for their having it, and the families of the superior officers being entirely free from it?—In no other way than that they probably remained longer in the place, and had fewer opportunities of going out, and perhaps did not live so well.

Are they not likely to have lived as well, and gone out as often as the maid servants living in the families of the superior officers?—I am not able to say.

Are you aware how many officers were in the service of the committee at the Regent's Park that never were at Milbank?—No, I do not know.

Do not that circumstance and the fact of their having the disorder at the Regent's Park constitute a part of the consideration, when the inquiry was made, as to the existence of contagion?—Yes; it was talked of, but the period of the year when the prisoners were at the Regent's Park was in the autumn, and bowel complaints are common then, and it did not strengthen in my mind the idea of contagion.

Are you aware that since the women from the Regent's Park went down to Woolwich, and that seven of them were placed on board the *Narcissus*, that that ship, which had been very healthy up to that time, became diseased to a considerable extent?—I have never been at Woolwich since October.

Would that fact strengthen the probability of contagion in your mind?—Yes, as far as it went, certainly.

Will you state what was meant by that answer of the 15th October, which has been already alluded to; the question was, "Do they consider there can be any danger from the admission of fresh prisoners into the Penitentiary after the present prisoners in it shall have been removed from it, and proper cleansing and fumigating shall have taken place;" the answer is, "When the prisoners have been removed, and the Penitentiary has been properly cleansed and fumigated, and the severe months of winter are passed over, if fresh convicts are placed in it, we can assign no reason why the health of its inmates should not be as good as it was in 1821; but it is essential that the diet of the prisoners should not be less nutritious than it was in that year?"—We were unwilling to take upon ourselves the responsibility of recommending the re-peopling of the Penitentiary, but we did not feel ourselves justified in altogether condemning it, but we thought we had put the committee in possession of the facts, and they could judge as well as ourselves; it was scarcely a medical question; there was no technicality in it.

Is not the fact of its being dangerous to re-open the Penitentiary a medical question?—With the data that we furnished the committee, we thought they would be able to form a judgment as well as ourselves; the mortality in 1821 had not been very considerable, but we considered the state of the prisoners to be very precarious at that time.

If contagion is admitted, will it not account for the disease without any noxious local influence?—No; what first induced us to make the examination of Mr. Pratt's books, was this expression in his letter, in which he deprecates the idea of changing the diet, and expresses a fear that it will cause this complaint; we were struck with the circumstance, that he should have predicted the very disease which had taken place; and we could not help supposing, that something like it might have previously existed.

Was not a liquid food, coupled with brown bread, likely to have produced disorder in the bowels?—More likely than solid food; but it did not appear to me likely, that the committee would adopt a diet in the Penitentiary that had not been found compatible with health in other prisons.

Then what circumstances are there that contagion would not account for in the late disease?—I have never heard of a contagious disease existing so long as seven years.

The question is, taking the disease to commence in autumn last?—I never considered the disease contagious.

May not a dysentery, which would not be contagious in persons living separately from each other, become contagious in case a number of persons were congregated together?—A contagious dysentery I have never seen; it is even a matter of doubt, whether dysentery, in its most formidable character, is contagious.

Have

Have you ever heard of any complaint similar to that which you have seen in the Penitentiary, existing in any places of confinement out of England?—No, I have not.

Dr.
Macmichael.

(March 11.)

Have you ever investigated that subject, with a view to ascertain what diseases prevail in places of confinement in foreign countries?—No, I have not; I made some inquiries, but I was not able to get any distinct information about the spin-house at Amsterdam; I understand that the food is much less nutritious than it has ever been in the Penitentiary; but that no endemic disease has ever existed there.

Should you not conceive the circumstance of the medicine having been taken once, might be fairly attributed to its efficacy in removing the complaint?—Yes; if it cured after one exhibition, it would not be repeated.

Then that would not tend to prove the absence of diarrhœa?—No; I think if it were given once only to every one of the persons that took it, it would prove that there was a great predisposition in the Penitentiary to this particular complaint; but it was given frequently; and the fact is, that six or eight of the prisoners did actually die of diarrhœa before the dietary was changed.

Supposing that you were to learn that those cases of diarrhœa in which it terminated fatally were, in fact, cases in which diarrhœa supervened?—If the diarrhœa was a symptom only of another disease, it would prove nothing; but if those people had previously taken chalk mixture, which was the only evidence we had of their having diarrhœa, and if they did actually die of diarrhœa or dysentery, it would go far to prove that our argument was a well-founded one.

Supposing those persons, who are six in number, to have been some of them persons whose digestive organs were injured by drinking before they came into the prison, or otherwise in ill health, would that conclusion then follow?—No; I conceive the mortality of the prison to have been very little; and I conceive it is that circumstance that withdrew attention, as it were, from the fact of the existence of any disease at all.

Was not the sickness very slight too?—I dare say most of those cases of diarrhœa were very mild; and if the epidemic had not broken out, no attention would have been bestowed upon it; but the existence of a diarrhœa, even in the mildest form, we thought threw great light on the origin of the epidemic.

Do you not think that the change which had taken place in the dietary, the great diminution of animal food, as well as the very severe winter, and the long endurance of it, were, in fact, the substantive causes of the complaint?—Yes, certainly; but the committee were warranted in making a change of the diet to that which had been found to be good in other prisons, it being impossible to say, *à priori*, that such would be the effect of that change.

Do you not believe that one person out of every three or four in this country has, in the course of a year, a looseness of bowels for some one day?—I should think not; I should think by no means such a proportion, at least not to require the use of the remedy.

So as to complain to a person going round to ask them whether they were well; the question assumes, that if the person complained at all, that medicine was given to him?—There were many other medicines given by Mr. Pratt, besides chalk mixture.

Was it not the common and ordinary medicine?—No, I should think there were a great number of other medicines given; I should not think that one of Mr. Pratt's prescriptions out of twenty was chalk mixture; but I speak from recollection of his book.

Is not that fact a most important one to inquire into?—Certainly.

Do you speak with reference to this disease, when you say you suppose there were a great number of other medicines given?—We inferred the disease wherever we found the remedy, and that was the only datum we had to go by.

Do you not think the change which took place in the diet, and the severity of the cold, were quite sufficient causes to account for the change that took place in the health of the prisoners?—Yes, certainly.

Do you still retain the opinion, that it would be unsafe to re-people the Penitentiary?—I think the health of the prisoners, and the inmates of the Penitentiary, would always be in a very ticklish state, a precarious state.

Do not you think that in that case, the progress of the disease might be so watched, as that it might be arrested before any danger would accrue to the lives of the prisoners?—Yes, because the mortality of the early years was not considerable;

*Dr.
Maemichael.*

(March 11.)

I do not see why you might not expect the same results in future as you had in 1821.

In case of its being again inhabited, what improvements should you recommend?—I should think the diet ought always to be tolerably good, and that they ought to have more exercise.

Any improvements in the ventilation?—I know that has been recommended, but other prisons are surrounded with high walls, and therefore I do not see why this should not be so.

Mr. John Pratt, again called in; and Examined.

*Mr.
John Pratt.*

(March 11.)

WERE you often in the habit of giving other medicines, in the first instance, for diarrhœa, beside the chalk mixture?—Not in the pentagons.

Can you furnish the Committee with a list of those cases of diarrhœa, in which the chalk mixture was not given?—I could give the Committee a short list, where the chalk mixture was not given.

Do you believe there are many such cases to be found?—Very few, indeed.

Were you not in the habit of giving this chalk mixture to any patient in the pentagons, who said to you I have a pain in my bowels?—Yes.

As a safe medicine?—Yes.

Do you not believe, that a very great proportion of the cases in which that complaint was made, were cases of imposture?—I do, and I am sure of it, by some of them who were removed up to the infirmary being returned the next day.

Was it your practice, when you doubted a man particularly, to have him removed up into the infirmary to watch his motions?—Yes.

And did you not find that there were a great many impostures?—I did; the major part of the cases.

Do you recollect of what the child of a person of the name of Holbrook, died in the Penitentiary?—Of teething.

Mr. Thomas Rickford, called in; and Examined.

*Mr.
T. Rickford.*

(March 11.)

YOU are steward of the establishment?—I am.

Of what does your family consist?—Six.

Yourself, your wife, two children, and two maid servants?—Yes.

What medical man do you apply to in case of illness?—None; I never had one.

How long have you lived in the Penitentiary?—Four years.

Are your children healthy?—Yes.

Were they both born in the Penitentiary?—Yes.

Veneris, 12^o die Martij, 1824.

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

Henry Herbert Southey, M.D. called in; and Examined.

Dr. Southey.

(March 12.)

HOW long have you attended the patients in the Penitentiary?—I attended them between two and three months; I was called in at the end of July.

Did you assist the other physicians whom the Committee have examined in drawing up that report, and examining the books of the establishment?—Yes, I did.

Do you entertain the same opinion which they have done, that there is something belonging to the establishment that makes the inmates of it prone to disease?—I think there is strong suspicion, I do not think it proved; the facts that came out would lead to a strong suspicion of it.

Can you state to the Committee any reasons which justify you in entertaining that opinion against the health of the situation?—Our reasons for entertaining that opinion were founded upon the examination of the books chiefly; there were some other circumstances

circumstances which seemed also somewhat to corroborate that opinion; I do not consider the thing proved by any means, but merely from the facts we observed and discovered, that there is a suspicion of the place being insalubrious.

You have stated, as one of your reasons, the examination of the books of Mr. Pratt; you have also mentioned, that there were other circumstances which seemed to corroborate the opinion you had formed, arising from the examination of the books; can you inform the Committee what those other circumstances are?—The proneness to relapse of those who were already cured in the institution, and the increased facility with which they recovered when they were removed from it.

Was that the case in the Regent's Park?—They certainly were better after being removed from the Penitentiary.

Do you not think that change of air, as well as that hope which exists in the mind of every patient, in any removal from the place where he was ill, might not at first have produced that amendment?—Perhaps it might.

May the Committee ask, whether your experience teaches you, as a medical man, whether change of situation does not, by raising the hope of the patient, improve his health?—In many complaints, change of air is obviously useful.

Is it not more from that cause than from the atmospheric benefit?—From these causes combined.

Was not their mode of confinement in the Regent's Park more cheerful than in the Penitentiary?—I think it might be.

A great number of them together inhabited the apartments; the community was larger, and the society more numerous?—They were more together, I dare say.

In the Penitentiary, they sleep in solitary cells, and pass a great portion of the time alone?—Yes.

Do you think that there is any thing in the neighbourhood of the Penitentiary that is insalubrious, arising from the soil and the moisture all around it?—I believe there is no proof of any thing of that kind in the neighbourhood; I have not heard of any complaint similar to what we have found in the Penitentiary prevailing in the neighbouring houses.

Have you ever heard, medically, whether there are any complaints in that vicinity which you would consider as arising from the insalubrious position of it?—I do not think I have.

Should you not think then, that if the situation was insalubrious, that if there was something in the locality of that neighbourhood that was hostile to health, that it would show itself upon persons, whether they are considered as prisoners or not?—I should rather expect it might be the case.

The absence of that proof of insalubrity should you not consider as an evidence that there were other causes to be looked for, besides the locality and situation, to account for the ill health of the prisoners?—I think there may be other causes to be taken into consideration; it is not impossible, that if the Penitentiary was pulled down, and common houses put there, that the inhabitants might be very healthy.

Supposing the Penitentiary to be turned into a large manufactory, and the persons were to work there daily, and a large portion of them were to reside there, do you think, that under those circumstances, the insalubrity of its character, supposing it to exist, would have any effect?—If they were kept for a considerable length of time, without being able to leave it when they pleased, I should be afraid of some injurious consequences resulting.

You know, perhaps, of the change that took place in the dietary in the course of 1822; do you not think that that change, accompanied with the moral causes, the long confinement, and peculiar situation of convict prisoners, quite sufficient to account for all that has taken place?—I should have thought it quite sufficient.

Have your observations led you to believe, that the congregating together of large bodies of prisoners affected by the disease, such as you have seen it, has made that disease contagious which might not have been in the first instance?—That question embraces a medical controversy, whether those diseases which are induced first by local influence, are afterwards capable of being propagated by contagion; I rather think, that, under certain circumstances, such diseases are capable of being propagated by contagion; that is an opinion upon which medical men in general are not agreed.

Do you think, that supposing your opinion to be well founded, the facts having come out before the Committee of a number of persons belonging to the establishment

Dr. Southey.

(March 12.)

having, since the introduction of diseased patients amongst them, had the disease introduced into their families, as well as the circumstance of the new prisoners who were introduced after the disease had been a considerable time in progress, several of whom caught the complaint within a few days after their arrival, that all those facts taken together furnish a suspicion of the contagious character of the disorder; do you not think that, supposing the disorder to be contagious, that cause is quite sufficient to account for all that had taken place in the establishment, the amazing number of sick, &c. and the perpetual relapses?—The facts are explicable upon either hypothesis; they are explicable upon the supposition of contagion, and they are all equally explicable upon the supposition of a local influence.

Would local influence explain these two things; first, the prisoners taking the disease within a few days after they came in; secondly, the attendants upon the prisoners taking the disease in the Regent's Park, they never having been in the Penitentiary?—The cases, I believe, in the Regent's Park, amounted to two or three, and those cases occurred at the time when bowel complaints were prevalent, and therefore I think much stress cannot be laid upon them.

Were they not very severe?—So are often common attacks of cholera morbus, at that time of the year.

How do you account for prisoners, within six or seven days after their entrance into the establishment, catching the disease, unless you allow the operation of contagion?—It might be by local influence; it is possible; I do not say that it is so.

There is one case of only four days interval?—There may have been a particular predisposition in that individual to be acted upon by these local causes; I do not mean to say that it was so; it is a doubtful question.

Are you not aware, that those local causes have never produced that disease before?—No, I am not aware of that, because there does appear, upon looking over the records and books, to have been a disease of a very anomalous character soon after the establishment of the Penitentiary.

Is not alone this fact proved by the examination of the books, that a certain mixture, called cræte mixture, was given to a certain number of individuals so many times in the year?—That is one fact.

Are you not aware, that it has been stated by the medical officer who administered it, that he was in the practice of administering it to every person who complained of bowel complaint, and that he gives decided evidence, that a disease never existed before of the same character?—In our investigation we were assisted by Mr. Pratt; no hint of this kind escaped from him at that time. We traced several cases, year after year, taking the same medicine, and some of them died of the disease, accompanied with ulceration of the bowels.

How many cases of death, arising from diarrhœa, took place since the commencement of the establishment?—I am not quite sure whether it was six or eight.

Were they accompanied with ulceration of the bowels?—So we were told; we had no personal experience.

Was any reference made to Dr. Hutchison upon the subject, as to his knowledge of the state of the Penitentiary for a certain number of years, by the physicians, before they drew up that report?—We had no interview with Dr. Hutchison at that time.

Supposing you were told, that in the year 1821, out of 113 cases, in which this cræte mixture was exhibited, 71 were exhibited only one day to each patient; could not that knowledge have prevented your coming to the conclusion, that the disease of diarrhœa existed to a considerable extent in the establishment?—There were a vast number of cases which we traced taking the same medicine, month after month; we reckoned those cases only once; we considered that, by taking it in that way, we should strike a fair average, if the severe and the slight cases were put together. It was impossible to draw up our tables without making some rule of that kind, taking care never to count the same twice over in the same year.

Does not that great proportion of 71 cases out of 113, lessen very materially the conclusion you draw, now you are acquainted with that fact?—I think we should look at the whole series of years, not one year picked out. If, in every year, it was found, that there was a great difference of that kind, some inference might be drawn from it; but I have not the facts very fresh in my recollection.

If, in the year 1820, there was no case in which it was taken more than five times; should you, in that case, continue to draw the same conclusion?—It would then depend upon what number took it once.

Sixty-two out of 427?—That is a much larger proportion of diarrhœa than is common in ordinary life.

Supposing that you were to go round to examine every person in every family in a street, every day, and that you were to ask in each family, "how are you? have you any thing the matter with you?" do you not think that you would find, in the same number of persons, say 800, as great a number of bowel complaints as you have found in the Penitentiary?—Certainly not; I should draw my inference from hospital experience, and we find, among the sick, the proportion to be about one in 36.

Simple cases of pain in the stomach, never go to a hospital, do they?—Not very often; some come with pain in the stomach, and they are much more likely to require opening medicine than the contrary.

Are people admitted into a hospital on the mere statement, "I have got a pain in my stomach?"—They come as out-patients frequently; with such stories they are not taken into the house.

Are you not aware, that the practice of the Penitentiary is, for the medical person to go round every day, and ask how the prisoners are; that the prisoners have the object of a direct advantage in being ill, that is, in stating that they are ill, by being removed into the infirmary; under those circumstances, should you be surprised at there being a considerable number of simulated diseases?—I should not be at all surprised at there being a number of simulated diseases; but I should think diarrhœa would be the last disease they would counterfeit, because the mode of detecting it is so obvious. If a man tells me he has got a pain in his head, I cannot deny it; but if tells me he has 10 or 12 motions in a day, I can easily discover if that be true or false.

Does not the fact of there being in this year 71 cases in which this cræte mixture was only given once, out of 122, afford a pretty strong suspicion that a great proportion of those cases were simulated?—It would be desirable to know whether those persons took it while they continued their work, or whether they got into the infirmary; if they still continued their ordinary occupations, there seems no motive for it.

Is it not the first step to get into the infirmary, to complain of illness?—Yes.

Then the Committee have in evidence, that the practice, on the first complaint, was to give this medicine, and in many instances to move them into the infirmary?—When they were in the infirmary, it was very easy to find out whether they had the diarrhœa or not; that must be obvious immediately.

Supposing that there were many instances in which they were sent up into the infirmary one day, and down the next; would not that be pretty decisive that the diseases were simulated?—It is possible a man might have the bowel complaint one day, and it might cease, with proper means, and he might return to his work the next.

In your report of the 11th of October it is stated, that those records, alluding to Mr. Pratt's book, show how pertinacious and intractable that disorder was in many whom it attacked; the same persons were again and again brought under medical treatment for it in the same year; the Committee wish to know, whether, in that inquiry, any note or memorandum were made of the number of times which this medicine was delivered to any person in the course of the same year?—I think we made no note of the number of times it was delivered to each person in the same year, but we put down all those cases that went on from one year to another.

It is therefore possible that a great number of those cases in which the patients are said to be traced from year to year, may be cases in which a single delivery only took place in each year?—It is possible.

Supposing a patient to have taken it on the 31st of December in one year, and the 1st of January in the next year, would that appear as a patient traced for two years?—It could not be otherwise, because you must begin somewhere, and end somewhere, or else it would be impossible to make any table at all; but supposing a name occurred in January, and again in December, that name would stand only once in the year.

Can you form any conjecture as to the proportion which the slight cases bore to those which were pertinacious and intractable?—I can form no conjecture beyond what is stated there.

There is no proportion stated in the report?—It would be almost impossible to calculate a table in that way; it would be very difficult.

Dr. Southey.

(March 12.)

Is it not possible to state the name of each person, with the number of times each person has taken it during the year?—We did not wish to make the most of it.

If the majority of cases were slight, would it not be making the most of it to put them altogether?—There were a vast number of cases that went on from year to year, and that we thought sufficient to warrant a suspicion that the place was always liable to this particular disease.

If this disorder arose from any thing in the local situation, and especially if persons were affected by it within a few days after their coming to prison, might it not reasonably be expected, that the families living in the very centre of the prison would have been affected by it?—They were not placed precisely in similar circumstances with regard to diet or moral causes.

And to their exemption from those circumstances you would attribute their exemption from the disease, in that case supposing local influence to be operative?—It would contribute to protect them against that influence.

Would not those causes also have operated to prevent the inferior officers, who were employed about the prisoners, being affected with the disorder?—The same causes might.

Suppose 15 or 16 of the inferior officers are proved to have had this disorder, and those particularly employed about the prisoners, how would you account for their having caught it, rather than the families of the superior officers, except upon the principle of contagion?—It is favourable to the notion of contagion, certainly.

Are you aware that the officers who caught it at the Regent's Park, not having been at the Penitentiary, were all officers who were employed there for the first time?—There were three people who had a bowel complaint at the Regent's Park, when they were removed there.

Was it a bowel complaint attended with all the peculiar circumstances which attended this disorder at the Penitentiary?—I did not attend those patients, and therefore I cannot answer for them.

Did not the matron's servant, who lived at the Penitentiary, in a part of the building which had no communication with the part occupied by the prisoners, and who had not had the disorder at the Penitentiary, contract it at the Regent's Park, where she was, of course, more mixed with the prisoners?—I understand there was a case of that kind.

Are you aware that the families of the superior officers and others, living in the hexagon part of the building, amount to about 40 persons generally?—I am not aware of the precise number.

Are you aware that no death has taken place in any of the families of those officers since the Penitentiary first opened?—So I have understood.

If this disorder produces ulceration in the bowels, may it not be subject to frequent relapses, though originally created by contagion?—It was proved that it was subject to frequent relapses, as long as the patients remained in the Penitentiary.

Was not that the case also in the Regent's Park?—I believe not to the same extent.

Has it not been found necessary to remove the patients from the Regent's Park, because they did not recover?—My attendance at the Penitentiary ceased before any removal took place from the Regent's Park.

Would not that fact operate against its being produced by any local influence at the Penitentiary?—If it appeared that they were not better at the Regent's Park than they were in the Penitentiary, it would be in favour of the salubrity of the Penitentiary.

Would any number of cases which might appear in the Penitentiary of patients that might have taken the chalk mixture once or twice, amount to material evidence, in your opinion, of the existence of a disease at all similar to the present?—If any large number of persons were in the Penitentiary at the same time seized with bowel complaint, one would suppose that there were some cause operating upon them all; if a larger number were attacked in the Penitentiary than was usual in common life, one would infer, that there was some cause common to all, and acting upon all.

Are there not many cases in common life, in which persons have relaxed bowels without taking medicine for it?—There are.

Is it not probable, that a large proportion of the cases in which people have relaxed bowels for one or two days, pass off without their taking medicine?—It is.

Was

Was not the cræte mixture given in the Penitentiary rather grateful than otherwise to people who had been in the habit of taking bitters or spirits; is it not warm and bitter?—No, I should think it was sweet, and not very warm.

Was not there columbo in it?—That is not the form of cræte mixture usually employed.

Taking it to have columbo in it, would it not be grateful?—I do not think it would be very nice.

Assuming the tables the Committee have before them to be correct, by which it appears, that five persons only in the year 1821 had this medicine delivered to them on more than six days in the year, that no person had it delivered more than five times in 1820, that five persons only had it delivered more than five times in 1819, that six persons only had it delivered more than five times in 1818, that three persons only had it delivered as often in 1817, and that two persons only had it delivered as often in 1816; could it, after this minute examination, be said, that a number of the cases which had this disorder in the years alluded to, were obstinate and protracted?—In point of fact, there is a difference between that calculation and the calculation in our tables.

The calculation in your tables makes no difference between those who had several deliveries in the course of a year, and those who had only one delivery; if, upon a more minute examination, and distinguishing the number of deliveries to each person, it turns out that the whole number in the five years and a half who had more than six deliveries were only nineteen in all the years, can it then be said, that many of the cases proved obstinate and intractable?—I may say, that the general impression on my mind, upon looking over those documents, was, that this medicine was given to a vast number of individuals more than in ordinary life.

Is not your impression somewhat lessened, if it turns out, upon a more minute inquiry, that the numbers are as have been stated?—It would prove, that the complaint was, generally speaking, slight, but very universal.

Is the cræte mixture, in common complaints of the bowels, a medicine that you would give before you would give some greater aperient?—No.

Was it given here usually in the first instance, as appears by the books?—I believe it was.

Are you aware of the diminution in the proportion of those who were affected with this disease between the years 1817 and 1823; in the first year they amounted to one-half, and in the latter only to one-ninth; would not such a fact prove the greater salubrity of the prison at the later period?—We were anxious to impress that fact upon the Committee ourselves, and to show, that whatever influence might have existed, it was lessening before the diet was changed.

The inference from that is, that if the dietary had not been changed, the disease would have worn itself out?—That if the dietary had not been changed, we might never have heard any thing about it.

Is cræte mixture given for any other complaint than the diarrhœa?—Not that I am aware of.

Do you conceive that the original complaint for which cræte mixture was given, was, in a more mitigated form, the same complaint as the epidemic that raged afterwards?—Certainly much more mitigated.

Then you conceive that the epidemic was an aggravation of the same disorder, produced by other causes than the local influence?—Yes.

You think that the dietary imposed at the Penitentiary was one of those causes; do you think that the system of prison discipline, not perhaps consisting of the same active labour that there is in other places of confinement, was the cause of the increased severity of the disorder?—I should think, that if bodily exercise had been employed, the prisoners might have been more healthy.

Have you ever found or heard, in general practice, that the diarrhœa is a prevalent complaint in the same proportion as it appears to have existed in the Penitentiary?—As far as hospital practice goes, the proportion undoubtedly is infinitely smaller in many hospitals in London, taking in and out patients together.

In making out the tables which stand in your report on the subject of the Penitentiary, you had the assistance of the surgeon of that establishment, and you had his information upon all the cases in which you chose to inquire?—He was very willing to assist us.

You have no connection, either you or the other medical gentlemen, with the Penitentiary?—None at all.

Dr. Southey.

(March 12.)

And it is hardly necessary to state, that in coming to the conclusion you have done in making that report regarding the state of that establishment, you were guided solely by a wish to do good to the establishment and to do justice to the public?—We were anxious to discharge our duty.

Is it common in hospital practice to have a patient in one day for diarrhœa and out again the next?—Those are cases of out-patients and not in-patients.

Are records kept of those patients?—Yes, and the names of their diseases.

The Committee wish to know the meaning of the following answer given to the Committee the 13th October 1823; the question is this, “Do the physicians consider there can be any danger from the admission of fresh prisoners into the Penitentiary, after the present prisoners in it shall have been removed from it, and proper cleansing and fumigating shall have taken place?” The answer is, “When the prisoners have been removed, and the Penitentiary has been properly cleansed and fumigated, and the severe months of winter passed over, if fresh convicts are placed in it, we can assign no reason why the health of its inmates should not be as good as it was in 1821; but it is essential that the diet of the prisoners should not be less nutritious than it was in that year;” was that answer meant to encourage or discourage the reception of fresh prisoners into the Penitentiary?—That answer is certainly not a satisfactory one; but the fact is, we were not disposed to incur the responsibility of re-peopling the Penitentiary, and we were by no means prepared to say that it should be abandoned.

In framing the tables that are affixed to your report, it appears that you noted the occurrence of the disease in every patient in each year, but that you took no notice of the recurrence of the disease in the same year in the same patient?—No.

Would it not have been more important to have noticed that than the other?—Perhaps it might.

In case the old diet should be restored at the Penitentiary, and supposing it to be re-peopled with fresh prisoners, do you consider that the recurrence of such a winter as the winter of 1822-3, would re-produce the disease?—I think, if the experiment was made it might answer, but it would be attended with some risk.

In case the Penitentiary were re-peopled with fresh prisoners, do you not conceive that such a watch might be kept over the symptoms of the disease as to prevent any danger to the lives of those prisoners?—The disease does not appear to have been very fatal to human life latterly, but it was dangerous; the question is, how far disease may go with safety.

In case of its being re-peopled, what measures would you recommend as likely to preserve most effectually the health of the prisoners?—I should recommend that they should be kept upon the best diet that is consistent with prison discipline, and have more bodily exercise.

Do you mean increased labour?—Bodily labour which would make them perspire freely.

Have you ever seen a man at the crank mill?—I have seen them drawing water.

Do you think that is good exercise?—I should think it is.

You have had no opportunity of seeing the Penitentiary during the winter, and you are not therefore a judge whether increased warmth would be necessary?—The ventilation should be looked to.

Do you conceive the form of the yards ending in acute angles is prejudicial?—There seems to be hardly space enough for the men to be blown upon as it were.

Do you conceive the exterior wall is injurious?—The exterior wall is not higher than in other prisons.

Is it not lower when it is considered that the foundation is so high?—I cannot say.

You conceive the adoption of the tread-mill would be an improvement with a view to the health of the prisoners?—It seems to be good healthy exercise.

Is the tread-mill as good exercise as the crank-mill supposing scrophula to be at all prevalent in the Penitentiary?—I do not think it matters what the exercise be, so that it is sufficiently strong, and that it continues a sufficient length of time to produce perspiration.

Mr. Thomas Nixon, called in; and Examined.

*Mr.
Thomas Nixon.*

(March 12.)

ARE you principal surgeon of the first regiment of grenadier guards?—Yes.

How long have you been surgeon in that regiment?—Rather better than thirty years.

Have

Have you had under your care the management of the Tothill-fields and Westminster Hospital?—The last ten years I have.

Do you consider that hospital as peculiarly healthy?—I do.

Can you furnish the Committee with any proofs of that to corroborate your opinion?—I will deliver in a return, which I think will be sufficient, I can state pretty generally the details of it, but not accurately.

Will you state generally what you know of it?—In the first 10 years there were admitted 2,957 patients with continued fevers, of which only 18 have died, that is about one in 164, and there have been admitted 1,265 with fever and local inflammation, and that generally speaking, means inflammation in some part of the chest, of that number 14 have died, which is about one in 91; and then under the head of intermittents there have been 169, but those, I believe, not quite without exception, but nearly so, were all of them cases of Walcheren, and a great part of that number have had relapses and have become intermittents.

Have you had in the hospital many cases of diarrhœa?—We have had a good many; the number has been, I think, between three and four hundred, but we have only lost two in that number, which were cases of visceral disease.

How far is the hospital from the Penitentiary?—There is the play-ground of the boys at Westminster; it may be 500 yards, it may be a little more or a little less; the play-ground at Westminster is between them and a narrow street or two besides.

Do you consider your hospital as good for convalescents?—Particularly so when we were in Park-street, which is twenty-two years since; our convalescents did not recover, and we were obliged to have country quarters; that has been discontinued now for many years, we find the convalescents recover much better in our own hospital than they did there.

Do you not consider the recovery of convalescents a decisive proof that the local situation in which they are placed is a healthy one?—I consider it perfectly decisive; and I consider it would be perfectly impossible, under any mode of treatment whatever, to lose so few as eighteen patients out of 3,000, of a common fever, unless the situation was healthy.

Do you know whether the site of your hospital is upon a higher or lower level than the Penitentiary?—I consider there is no material difference; there is no perceptible difference to the eye.

Have you ever found that you had a greater number of cases sent to the hospital from those battalions that were quartered in Westminster, than the battalions that were quartered in the Tower and in Portman-street barracks?—In the return I have here, it appears they are rather less.

[The witness read the same.]

RETURN of Cases admitted into the Grenadier Guards Hospital of the Second Battalion, quartered in the Tower of London, from the 25th February to the 24th August 1820.

	Admitted.	Dead.	Discharged.	Remain.	REMARKS.
Continued fevers - - -	131	2	121	8	—
Fevers, with local inflammation - -	39	—	36	3	
Intermittents - - -	3	—	3	—	
Dysentery and diarrhœa - -	17	—	17	—	
TOTAL - - -	190	2	177	11	

RETURN of Cases admitted into the Grenadier Guards Hospital of the Third Battalion quartered in Westminster, from the 25th of February to the 24th of August 1820.

	Admitted.	Dead.	Discharged.	Remain.	REMARKS.
Continued fevers - - -	109	1	95	13	—
Fevers, with local inflammation - -	26	—	21	5	
Intermittents - - -	20	—	20	—	
Dysentery and diarrhœa - -	7	—	7	—	
TOTAL - - -	162	1	143	18	

Mr.
Thomas Nixon.

(March 12.)

RETURN of Cases admitted into the Grenadier Guards Hospital of the Second Battalion quartered in Westminster, from the 25th February to the 24th August 1823.

	Admitted.	Dead.	Discharged.	Remain.	REMARKS.
Continued fevers - - -	57	-	52	5	
Fevers, with local inflammation -	26	-	26	-	
Intermittents - - -	1	-	1	-	
Dysentery and diarrhœa - -	4	-	4	-	
TOTAL - - -	88	-	83	5	

RETURN of Cases admitted into the Grenadier Guards Hospital of the Third Battalion quartered in the King's Mews Barracks, from the 25th February to the 24th August 1823.

	Admitted.	Dead.	Discharged.	Remain.	REMARKS.
Continued fevers - - -	86	1	75	10	
Fevers, with local inflammation -	38	-	38	-	
Intermittents - - -	4	-	4	-	
Dysentery and diarrhœa - -	9	-	9	-	
TOTAL - - -	137	1	126	10	

The intermittents in the Third Battalion are more numerous than the Second Battalion, in consequence of the latter not having been in Walcheren.

Thos Nixon, Surgeon Major.

It appears in this, that there are three cases of intermittents admitted in the second battalion and twenty in the third; but the second battalion have never been in Walcheren, but the third had, and though it is so many years afterwards, the disease is even at this period occasioned by relapses.

Have you found that the relapses arising from the Walcheren fever still continue to affect both officers and men?—They do; there are not a great many left now that were in the Walcheren regiment.

Was that disorder contagious?—Not in the least; it is one of the qualities of diseases arising from marshy situations, for that I presume is what is meant by unhealthy situations, that they are not contagious, and I believe, from the ague of Lincolnshire to the yellow fever of the West Indies, they are none of them contagious; but if you put a great body of men, who were obliged to go into one large building, they will generate an atmosphere that will produce a very infectious fever, but not a fever of the same character in any respect as the original one.

Do you know whether the vicinity of your hospital, the Tothill-fields district, and the lower parts of Westminster, are considered as peculiarly unhealthy?—I should think not at all; I think a great many of the wives and children of a great part of our soldiers, who are married men, generally reside in that part of the town; I have never found that those women and children are more unhealthy than other women and children.

Did you ever hear of this disease which you have heard of existing in the Penitentiary, existing in the lower parts of Westminster?—Never; I have seen two or three cases of it, but they are very rare; in men whose constitutions have been broken down by the repeated use of mercury, I have seen this disease.

Are slight cases of diarrhœa common amongst the men in your regiment?—No man comes into the hospital for a slight case of diarrhœa, unless they are brought by the officers, but if left to themselves they very seldom make any applications; there is one fact connected with diseases arising from marshy situations, that they invariably begin in the hot weather, and as invariably cease when the cold weather begins.

You obtained that information at Walcheren, as well as in other parts of the world?—Yes, it is invariable; the inhabitants know just as well as we know; in the month of November, at Walcheren, the disease entirely ceased.

Should

Mr.
Thomas Nixon.

(March 12.)

Should you not then be inclined to attribute the disease of which you have heard so much existing in the Penitentiary, more to the change that took place in the dietary, and to moral causes affecting the prisoners therein confined, than to the local situation of the Penitentiary itself?—Yes, I should, and for this reason, because I never saw, nor did I ever hear, of any situation, however unwholesome it might be, in marsh land, ever producing a disease at all like sea scurvy, and therefore I conclude from that, that this disease is produced by some totally different cause.

Should you not think that the reduced diet, acting upon persons suffering under low spirits, and the solitary nature of their confinement, likely to produce the disease of sea scurvy?—Most certainly it would.

Have you in your profession known any remarkable case of the effect upon bowel complaints of low spirits?—Yes.

As well as fatigue upon a regiment?—I have, to as great an extent, and as important a case, perhaps, as ever occurred. This is a report, entitled "A Sketch of the Medical History of the First Regiment of Foot Guards;" by John Bacot, surgeon of the battalion. I was at that time inspector of hospitals of this division; the documents contained in these two pages are extracted from documents furnished by him, and I think it places the effects of moral causes in as strong a point of view as it is possible to place them; perhaps it is not necessary to read it all, though my own evidence, as to that point, would not take five minutes. The first battalion of the first regiment of foot guards embarked for Spain on the 14th of September 1812, and consisted, at that time, of 1,499 men, including non-commissioned officers and privates; for the service in which it was afterwards engaged, its composition may be said to be thoroughly though unavoidably defective; more than one-half of the battalion consisted of men that had volunteered from the militia in the spring and summer of the same year, or of recruits who had never been on service; and the remaining 600 men taken from those men in the battalion who had been at Walcheren, and so far as could be done, selected from those men who had suffered least from the marsh fever. During the march to Duenas, which commenced from Corunna on the 30th of September, the battalion had preserved its health wonderfully, and we arrived at the above-named place with only 58 sick, of all descriptions; from Duenas our retreat was continued, with intervals of some days, to the neighbourhood of Salamanca, during which the men were exposed to a very hot sun throughout the day, and lying on the ground at night, with only the protection of their blankets, the nights being extremely cold, and attended with a very heavy dew; and now it was that disease began to show itself, seriously at first, chiefly in pulmonic affections, and some few cases of acute dysentery, which, by the time we reached Villares (near Salamanca) became the prevailing disease; it was here we lost our first man, and from this place, and previously to our reaching it, we sent 160 men to the general hospitals. This battalion, on commencing the march from Corunna, had received its pay to the 24th of September, whereas that of the rest of the army had been slowly and gradually getting into arrears, so that when we joined them in October, we found that they were subsisted only to the 24th of July; hence it is evident, that even if the issues of money could have been made with the greatest punctuality, that three months must elapse before we could become entitled to receive our pay for the month of October; but as from the difficulties necessarily attending our situation, the payments could be made only every five or sometimes every six weeks; the period of time that elapsed before our October pay became due was even much greater than that which I have mentioned. The soldiers so situated, with nothing but their mere rations to subsist upon, too frequently disposed of many articles of clothing, and even their blankets, to purchase provisions; and thus it was that the majority of them reached Vizea, in a state of miserable deprivation; dirty in their persons, worn down with fatigue, wasted most strikingly in flesh and depressed in spirits; to make the climax complete, the weather, for the first fortnight after our arrival at Vizea, was so incessantly rainy, as in a great measure to preclude those frequent inspections and parades, so necessary to rouse the attention of the soldier, and promote cleanliness at such a time; the men were quartered by threes and fours, in the houses of individuals throughout the town, and I did not discover that fever was at all prevalent among the inhabitants previously to our arrival. The situation of Vizea is open and healthy, and it had proved remarkably so a few winters before, when the second brigade of guards was quartered there, and, as I am informed, scarcely lost a man during the whole period. A severe disease ensued; the general result of our admissions during our stay at Vizea, from the 7th of

Mr.
Thomas Nixon.

(March 12.)

December 1812 to the 3d of March 1813, was 1,018 men admitted into the regimental hospitals, out of 1,499, of whom 221 died, being rather better than one in five, and 421 transferred to the general hospitals ; the proportion of those I have no means of ascertaining; but I believe I may say it was not materially different.

Is not that nearly as high as in the worst cases of typhus fever?—Infinitely worse, the result is ; the condition of the battalion, and a consideration of its preceding situation and circumstances, led us to apply ourselves at once to the root of the evil ; as the affording those not yet attacked better food, and renewing the clothing to such as were but scantily supplied, might either prevent their being attacked at all, or so invigorate the system as to enable them to overcome the disease if it did assail them. Our success in these endeavours, and the striking fact of the total exemption of every officer (except one) from fever, and indeed of every officer's servant, who from their situations were not only less exposed to fatigue but better fed, sufficiently proved, if indeed such proof were necessary, that we were not mistaken in our conjectures as to the origin of the disease ; still more striking was the exemption of almost all those men, who as mechanics, or by labour, were enabled to earn money sufficient to procure them necessaries, independent of their rations. We had been twelve weeks resident at Vizea, and had entered that place with nearly 1,100 men ; we marched out with 358 only ; 221 having died in our own hospitals, a much greater number at the various hospital stations, and the remainder being left sick in the general and convalescent hospitals of the town ; the return of one company, which was the most unhealthy, will exemplify what I have said above, very strikingly ; this company consisted of 119 men upon our arrival at Vizea ; of these, only twelve escaped the attack of fever, and quitted the place with us ; seven of the twelve were officer's batmen, and two had worked as regimental tailors ; there was a considerable difference in the proportion of sickness that took place between the old soldiers, and those who had been received from the militia, of which the annexed return will, however, afford but an imperfect notion, inasmuch as it was drawn up in the month of January, and consequently before the disease had run its course, but the result, as far as it does extend, was this ; of 610 old soldiers, 198 were taken ill, and 48 died ; of 487 militia men, 203 were attacked with fever, and 51 died. The proportion is one in nine of the original number of the new soldiers, and one in nineteen of the old soldiers ; now this was in an extremely healthy situation, every officer and every man that had the means of getting money were as well as ever they were in their lives, and kept their health as well as ever I saw soldiers.

Have you often found moral causes that may be considered, independent of fatigue and excess of exposure to the weather, affecting the health of soldiers?—Yes, I think I have.

The question means the difference between an advance and a retreat?—Most material ; when men are advancing or when they are before the enemy, it very seldom happens that they have much disease ; there is a sort of excitement which prevents it ; it is a fact that is known to every body, that when men are in active warfare before the enemy, it very seldom happens that they have such a disease.

But in a retreat?—They generally have it to a greater extent ; I was in the retreat of Sir John Moore.

Were there not physical causes which operated also in that case?—Excessive fatigue ; we always had fatigue in going into winter quarters ; but if you look into the returns of our battalions, you will find it was very different with us.

What was the state of your battalion during the retreat from Burgos?—It was at the very time that our sickness was the most prevalent ; in the body of the return from the 17th of January to the 23d, the first regiment of guards appears to have 472 sick, and the three German battalions 183, 155, and 97 each ; it is pretty much the same to go through the whole book, but that is the general result.

As out of 745 prisoners at the Penitentiary in the years 1822 or 1823, not so many as 100 have been free from the prevailing disease, is it likely, that if that disease proceeded from any local influence, that the families living in the centre of the prison, and consisting of between thirty and forty persons, should have been universally exempted?—I should think not ; when the disease attacked the troops in Walcheren, though both officers and men were in the very best quarters, perfectly well fed, having nothing to do, not even the duty they have in London, the officers and men were attacked in equal proportion ; it made no sort of distinction.

Is your hospital surrounded with high walls?—It is wall on one side ; it is open on the other.

Is

Mr.
Thomas Nixon.

(March 12.)

Is it on the whole better ventilated than the Penitentiary?—I have never been in the Penitentiary.

You mentioned the tide flowing in the ditches; has that constantly been the case?—I believe it has.

That is not the case in the ditches near the Penitentiary?—I cannot say; we observed in spring tide that our ditches were filled with water; when the spring tides are very high we have a large proportion.

From whence you conclude, that their foundation is not materially above high water?—Yes.

Has that till lately been the case with the ditch near the Penitentiary?—I cannot say.

You stated your opinion as to the fact of a large number of people congregated together producing a fever; would that have the same effect in the case of a diarrhoea?—That is a very difficult question to answer; I have no doubt that a number of persons affected with diarrhoea in its aggravated form, it is generally attended with a tendency to fever, and I have no doubt that they might create a disease something of that nature; I think it is very probable that it might, but it is a difficult question to answer.

Do not you conceive, that there were physical causes sufficient on the retreat to Vizea, sufficient to account for the circumstances of that disease?—There were circumstances sufficient to account for the occurrence of fever, but not to account for that mortality without moral causes; because, if the physical causes had alone affected, it must have affected the officers as well as the men. I beg leave to deliver in the return which I alluded to, of the number of men admitted into the hospital in the last ten years, beginning with 1814, of the nature of the diseases, and the number of deaths.

[The witness delivered in the same, which was read, as follows:]

RETURN of Men admitted into the Hospital of the Grenadier Regiment of Foot Guards, from the 1st of January 1814 to the 31st December 1823.

	Admitted.	Dead.	Discharged.	Remains.	REMARKS.
Continued fevers. - - - -	2,957	18	2,927	12	1 death, 164 admitted.
Fever, with local inflammation - -	1,265	14	1,246	5	1 death, 91 admitted,
Dysentery and diarrhoea - - -	319	2	317	-	1 d°, 159 admitted.
Intermittents - - - -	169	-	169	-	
TOTAL - - - -	4,710	34	4,659	17	

The above are those diseases most likely to be affected by unhealthiness of situation, yet the proportion of deaths to the number admitted is unusually small, a result which could not be expected under any mode of treatment, were the situation of the hospital really unhealthy. For the following reasons, I have always considered it as the very reverse: 1st, because convalescents from fevers, &c. recover very rapidly, and are not subject to relapse; 2dly, because fevers of the remitting and intermitting character, never *originate* here; nor as far as I have been able to observe, in the neighbourhood; nearly the whole of the intermittents in the above return are of Walcheren origin, and have all been discharged cured; 3dly, because patients, after severe surgical operations, who have been previously reduced to the lowest state of debility, very rapidly recovered their health; 4thly, because men confined for many months with serious accidents and severe wounds, and the orderlies who reside constantly in the house for years together, generally continue in good general health; and lastly, because when the hospital was formerly in a close situation in York-street, we were obliged to have country quarters for the convalescents, which have now been given up for some years as unnecessary. This hospital has been occupied twenty-two years.

The above was made out by my order,

H. H. Townshend,

L'-Co' 1st Guards, L'-Co' Com^d.

(signed)

Tho' Nixon,
Surgeon-major.

Mr. *John Pratt*, again called in ; and further Examined.

Mr.
John Pratt.

(March 12.)

OF the six cases who died, how many of them had ulcerated bowels?—None, that I know of.

You attended all the officers wives, and the female prisoners who had children in the Penitentiary, during their confinement?—I did.

Were the recoveries in general good or bad?—Very good.

Were the bodies of those six who died, opened to examine the bowels?—Not one ; one body was opened, but not the bowels.

By what means then could you judge whether they had ulcerated bowels or not?—I never suspected any thing of it.

Is there any means of knowing, by the motions of the individuals, whether the bowels are ulcerated or not?—I should think not to be positive of the fact.

Did you always give the chalk mixture in the first instance, previous to giving any gentle aperient?—To those cases that I did not move into the infirmary, I did ; but those that were moved into the infirmary I gave saline cathartic.

Do you mean, that in every case in which you moved a man into the infirmary you gave the other first?—Generally speaking.

Mr. *Anthony White*, again called in ; and further Examined.

Mr.
Anthony White.

DO you practise in the lower parts of Westminster?—I do.

Do you conceive Tothill-fields district more unhealthy than any other district in the metropolis?—Certainly not.

Have you ever practised among the poor classes of society in other parts of the Metropolis?—No, I have not.

Have you ever been able to form any comparison, from the information of others, between the state of health in the lower parts of Westminster, and the state of health in the adjoining parishes of the metropolis?—From inquiry among my friends, who practise generally as apothecaries, it is their general opinion, that they have no greater number of cases of diarrhoea, or of any other particular disease, in the low district than they have in the upper districts.

Is there an opinion entertained among professional persons, that in fact the districts which are called 'long shore districts, are more healthy than the upper districts of the metropolis?—That I believe not to be a general impression, although I should conceive the higher districts about London would be more healthy, for instance the district of Hampstead.

The question is, whether the vicinity of the river, and the free circulation of air from the tide, with the wind coming up twice a day, does not make the immediate vicinity of the river more healthy than the districts of the metropolis that have not that advantage?—Certainly a tide river always gives a free circulation to the air.

More than in the crowded streets distant from it?—Certainly ; disease may be found in the very crowded streets and alleys of London, in a greater degree than in the outskirts of London.

Should you think, for instance, that there would be more disease in St. Giles's, than in the lower parts of Westminster?—I should think so undoubtedly.

Have you ever found the disease which has prevailed in the Penitentiary, existing in the lower parts of Westminster?—Yes, I have.

To any considerable extent?—I think I have known it in some severe winters ; I think on my first examination I mentioned, I think it was the winter of 1813 or 1814, there were several marked cases of what was called sea scurvy, with affections of the bowels.

Were you ever able to trace the history of those patients, did you find that they were seafaring persons that had been subject to diseases of that kind?—Evidently not seafaring people.

Were they persons in a great state of poverty and distress?—Exceedingly so ; who had led a most uncertain precarious life, starved one day, and getting a little food the next.

The Committee understood you to state last year, that you conceived the disease to be the result of low living, and low spirits and cold?—Certainly that was my impression, and still remains so.

How long have you known the Penitentiary?—Since the year 1816, from its commencement.

What

What should you state to be the prevailing disease in that establishment?—In the department to which I was more peculiarly called, scrophula certainly existed more than any other disease.

Mr.
Anthony White.

Should you have said if you had been asked, that diarrhoeas, considering that as the mild form, and dysentery as the severer form, were diseases that were general in the Penitentiary?—Certainly not; if they had existed, my attention would have been called to them, either by the medical superintendent, or by Mr. Pratt.

(March 12.)

Did the prisoners themselves ever complain to you of complaints in their bowels?—Never generally; occasionally a case of scrophula might also have some affection of the bowels, but so very rarely as not to have made any impression on my memory.

Should you think that there was any connexion between that liability to scrophula which, as you state, was the prevailing complaint in the Penitentiary, and that scorbutic dysentery which afterwards appeared?—I have not any idea that in the first stage of common scrophula, and in the latter stage the worst stages of dysentery, that there was any connection between them; an intermediate stage may happen, scrophulous dysentery glands may arise; they are almost invariably accompanied with diarrhoea.

Are bowel complaints in a great degree common complaints among the poor?—Very much so.

Supposing for instance, that you were to go among that class of persons who generally feed low, and whose hunger is not very well satisfied, should you not find them liable to bowel complaints?—Certainly.

Was not that the case with the prisoners in the Penitentiary after the dietary was changed?—After the dietary was changed, but not until then.

Should you not think that all that has happened is sufficiently accounted for by the change of dietary and the cold of the weather?—From the very uncommonly healthy state of the prisoners generally, during six years, or between five and six years, I have every reason to believe, contrasting the former state of health in the Penitentiary with the disease that happened after the institution of the meagre dietary, I have no doubt on earth, but that the disease entirely arose from the substitution of a worse dietary than the original one, combined with a very severe winter.

Do you think that the Penitentiary would be safely re-peopled, supposing that a dietary something similar to what existed at first, existed in that establishment?—I certainly think so.

Do you think, from your knowledge of the state of the prison for so many years, that there did exist amongst them a proneness to any complaint whatsoever?—No particular disease prevailed so as to be marked as prevailing.

You have stated generally that they were healthy, enjoying a remarkable degree of health, by which the Committee understand you to say, that they were not only not prone to any particular disease, but they were not prone to disease at all?—That is my meaning.

Should you think that any conclusion ought to be drawn against the health of the prison, from the circumstance of any number of prisoners having relaxed bowels once in a year?—Certainly not; for I believe that few individuals do escape for a twelvemonth without having some attack or other of that sort.

Should you think that more exercise than has been already given at the Penitentiary, would be desirable?—As much exercise as could be given to them, consistently with prison discipline, I think, ought to be extended to them.

Should you think the crank mill good exercise?—Certainly.

Should you think it as good as the tread mill for the purpose of preventing scrophula?—Equally so.

Would two half-hour's labour at the crank mill per day, with some walking exercise, for the second class, and three half-hours for the first class, be sufficient, in your opinion, to keep the prisoners in good health, or should you recommend a greater degree of that exercise?—Probably I may ask, what quantity of walking exercise, independent of the laborious exercise, is contemplated?

A quarter of an hour after each half hour of the crank mill, and an hour a day walking exercise for the second class, without any more walking exercise for the first class than a quarter of an hour after each half hour in the mill in the summer, and something less in the winter?—Having a feeling that much of a tendency to scrophula is prevalent, by as much exercise as can be allowed, I should be disposed to

Mr.
Anthony White.

(March 12.)

recommend to the Committee, that full twenty minutes walking exercise should be allowed to both classes.

Would you recommend more exercise at the mill; the question refers to men only?—No, I think that that portion of labour at the mill is quite sufficient.

Should you not think, that substituting the word play for walking exercise would be productive of great advantage to the spirits of the prisoners?—Undoubtedly; I think it would have an impression upon them; but the road which they have hitherto walked in, is rather considered an exercise of constraint than otherwise.

Is not scrophula a common complaint in all places where people are confined?—Certainly it is, in all institutions; the children who are sent into those institutions in a perfectly healthy state, are there deprived of their usual exercise, and many of them become scrophulous; but it is generally external scrophula, and therefore greater than internal scrophula, or affections of the lungs.

What tread-mills have you been accustomed to visit?—I have not seen any tread-mills.

You answered, that the crank-mill is as good as the tread-mill?—Merely from report; the crank-mill puts the whole body into motion.

Should not you suppose, that the arms are more employed in the crank-mill than in the tread-mill?—I believe the tread-mill, as far as I know from having seen the model of it; the people lay hold of a rail, therefore their arms are perfectly at rest; it is merely the use of the legs.

Would not the use of the arms be more beneficial in preventing scrophula than the use of the legs?—A combination of both would be better; that I think is fully answered in the crank-mill.

Can you give the Committee any information as to the cases that died in the hospital of dysentery?—I have collected from Mr. Pratt's account, his diary account of diseases, people who were attacked from their first coming into the prison.

In the whole six?—I believe I have but five. The first person whose name I marked down, is E——; she was received into the Penitentiary on June the 7th, 1820; there is no remark made with respect to the first commencement of her disease; but the general remark is, that she was troubled with or piles, and irritable bowels, and she died, having diarrhœa, on the 13th of May 1822, having been altogether two years and a little more in the prison.

Do you know what time she passed in the hospital at that period?—That circumstance is not particularly marked in Mr. Pratt's journal; this woman, Mr. Pratt remarks, by her own confession, after she came into the Penitentiary, led an extremely dissolute life; she had drank great quantities of spirits, and been a most profligate woman in the full sense of the word. The next case that I have marked, is that of F——; she was received into the Penitentiary on the 10th of April 1819, and in July of that year, the 27th of July, she was first attacked with disease, the disease of diarrhœa, and from that time up to the 21st of May 1822, she was frequently in the infirmary with the same complaint; but it was discovered, that accompanying this diarrhœa, this woman, who had also been a hard drinker, previous to her coming in, had a schirrous affection of the liver; she was there altogether three years and two months. The next name is P——; she was received into the Penitentiary on the 15th of May 1820; she was two years confined, and on June the 6th, 1822, she was attacked with diarrhœa, and died in the same month on the 29th, very evidently a case of diarrhœa; she was but a short time ill altogether; there is no remark that she had been ill of diarrhœa previously to that. There is a case recorded also of G——; he was received into the institution on November the 9th, 1820, and from 20th May 1821, his first admission into the infirmary, the history of his disease throughout rather tends to show, that consumption was the leading feature of his complaint; but that after a long continued illness he died, having had diarrhœa only three days before he died; the termination was diarrhœa. The next case is that of B——; he was received into the Penitentiary on the 18th of May 1821; he was sent to the infirmary on the 26th of September in the same year with fever, and in a day or two small-pox made its appearance, and the boy had a very narrow escape of his life, after being sent down to the pentagon from the 23d of November; on the 1st of December following, he was again removed into the infirmary, with pain in his side and diarrhœa, of which he died on January the 1st in the next year, being just a month ill of diarrhœa; this boy, it may be recollected, was in an extremely languid state when he left the infirmary, occasioned by a very severe attack of small
pox.

pox. It appears upon the face of this paper, that there were but two what you would call undoubted cases of diarrhoea; there is an observation that I should wish to make, with a view to show, that the disease of diarrhoea in the latter days was of a very different character to the disease which first prevailed; the disease originally had crept in very insidiously, without any marked symptom; but, in all the latter cases, it was generally preceded with considerable head-ache and bilious vomiting, which makes a great difference between the original character of the disease, and the latter character, which also I think explains why the first disease was dependant upon that diet, and why the latter state of the disease savoured so much of contagion.

Are you at all aware that attempts at imposture were common in the Penitentiary?—No doubt can be entertained about it; probably the Committee are acquainted with the circumstance that the people were bargaining for each others evacuations, that they might deceive the physicians.

Was not that fact known to the world before the present inquiry?—That was not published to the world, but I hold in my hand a publication of Doctor Hutchison, which tends to show the deceit that is used on board ship, as well as in the Penitentiary; it is the London Medical and Physical Journal for the month of February 1824; article the first, is some observations on simulated and feigned diseases, by Alexander Copland Hutchison, esquire, surgeon, &c. it is written expressly for this journal, which is published monthly.

Will you state that part that relates to the Penitentiary?—Under the head diarrhoea, he says, “I have known diarrhoea and dysentery many times induced in hospital practice, where an individual found that he could not succeed in obtaining the object of his desire; namely, invaliding by any other means, and not unfrequently I have witnessed such unfortunate men fall a sacrifice to their own imprudence, by inducing a disease which they would most gladly have been relieved from at a period when it was too late; on this subject the writer cannot forget the death bed disclosures, and pangs of conscience, which he has witnessed on one or two occasions; the bowel affections to which we allude, can, I have reason to believe, be induced by various means, but that which was most resorted to by deluded seamen, was a mixture of vinegar and burnt cork; in what proportions I have never been able to ascertain, neither can I discover in what manner the burnt cork can assist in producing the disease in question, but certain it is, that these were the ingredients most commonly had recourse to; and as certain is it, that some of the finest young men in the navy have fallen victims to the use of such substances for the accomplishment of their unhappy purposes; I have also known convicts in the Penitentiary, at Milbank, previous to the late malady breaking out, both in their cells and in the infirmary, break down with their fingers, in their urinary utensils, a good figured or formed motion, and intimately mix it with the urine, so as to induce the belief that it was in reality a diarrhoeal evacuation; but a little attention to the character and appearances, with strict watching, will, in most cases, lead to the detection of the imposture; the object which convicts have in such practices, is to be exempted from labour, and to be kept in the infirmary, where their comforts in every way are certainly much greater than when in their cells in the prison.”

Mercurii, 17^o die Martij, 1824.

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

Mr. George Duplex, called in; and Examined.

WHEN did you first go to the Regent's Park to attend upon the sick Prisoners belonging to the Penitentiary?—On the 30th of July.

How long did you continue there?—Till about the 24th or 25th of January.

The Committee understand you had some officers there, that never had been at the Penitentiary?—I understand there were three.

The messenger, was he ever affected by illness at the Regent's Park?—He had the diarrhoea.

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Had

Mr.
Anthony White.

(March 12.)

Mr.
George Duplex.

(March 17.)

Mr.
George Duplex.
(March 17.)

Had he it bad?—Very severely

The porter, who was there before the prisoners, was he ever affected there?—He was once affected by it.

Was not he affected more than once?—Not more than once.

Was it one day?—A continued disease of two or three days.

Was it severely?—Not very severely.

But it possessed decidedly the character of this disorder?—Decidedly.

When the porter went away, he was replaced by a man of the name of B——who had not been at the Penitentiary, was he affected with the disorder?—He had it once, but I understood he had been an officer at the Penitentiary.

Had you it slightly yourself?—I had it very slightly myself; I do not consider that it was of the same nature.

Were there not times in which the prisoners got apparently well, and then the disorder broke out again with great strength?—Some times that happened.

Do you recollect on the 3d of January, or about that time, the disorder increasing to a very great extent after having been apparently better for a considerable time?—I recollect that the disorder did increase.

Had you as many as 18 women ill in bed about that time?—I believe it was about that number.

Mrs. Elizabeth Wilkinson, called in; and Examined.

Mrs. Wilkinson.

YOU have been in the service of the Penitentiary, from the very first opening of the prison?—Yes, I have.

Can you say whether any bowel complaint was prevalent among the prisoners before the commencement of the late disorder, in the autumn of last year?—I never heard of such a complaint.

Would your situation about the prisoners have led you to know the existence of such a disorder, if it had existed?—Yes; certainly.

You have been in the habit of being in the infirmary since you have been matron, will you mention when you first became matron?—In the year 1820.

Having before been in other situations in the Penitentiary?—Yes; in the situation I was in before, I used to go to the infirmary at times.

Since you have been matron, have you not been in the infirmary daily, and sometimes oftener?—Sometimes two or three or four times a day.

Can you state whether the disorders, for which the women came into the infirmary, were bowel complaints?—I never perceived any thing of the kind, except in the instance of one woman, that was all I recollect.

Do you know whether any of the turnkeys, that had not had this complaint at Milbank, had it in the Regent's Park?—Yes.

Can you name them?—Mrs. S——

Had she it severely?—She had it not very severely; she had it at two or three different times; Mrs. B——had it very severely and repeatedly.

Has she not had it very severely since she got down to the hulk?—She has.

So that her life was in danger?—Yes.

She is ill now?—She is very unwell now.

How long ago is it since any prisoner had the first attack of this disorder?—The day before yesterday.

On board which ship?—The *Narcissus*.

How are the women now?—Very poorly; they are well one day and ill the next.

Do you think the women gained a great deal at the Regent's Park?—I do not think they gained any; I saw very little difference in them.

Are they better now than they were when they went down to the hulk, the question refers to the women on board the *Heroine*?—No, they are not.

How are the women on board the *Narcissus*?—Very ill.

Are not the women on board the *Narcissus*, better than those on board the *Heroine*?—Some of them are.

You have been on board the *Heroine* since you went down?—Yes; but I have been occasionally on board the *Narcissus*.

What is the present state of the prisoners on board the two female prison ships in respect to their spirits?—Their spirits are very much depressed by the repeated attacks that they have had of the illness.

Do you not think, that if it is decided that any great portion of them are to remain where they are, the effect upon their health would be very serious?—From what

what I have seen I am afraid so ; the disease now assumes rather a different aspect ; I am sorry to say there is a great degree of fever attending it in the relapses.

Mrs. Wilkinson.

How many cases had you of persons in bed this morning?—I had about eight this morning on board the *Heroine*.

(March 17.)

Do you know how many there were on board the other ship?—No, I do not know.

Of those who were up, do not a considerable portion of them lie down in the course of the day?—A great number of them are unable to sit up the whole of the day.

Do they continue to behave well?—Very well, indeed.

Have the women been much subject to catarrhs and cold since they have been there?—No, not a great deal.

Have you any women at present in any state of pulmonary attacks, any attack of the lungs, any consumptive case?—I believe one or two.

Your maid servant who was with you at Milbank had not the disorder so long as she continued at Milbank, had she it at all at the Regent's Park?—Very violently.

Had she it once or twice?—Once very violently, and once a slight attack.

How long was she with you?—Three years.

Without any attack?—Without any attack.

Have you had any communication with any of the women that have lately been discharged?—I have seen several.

Are you aware whether they have had any relapses ; have those you have seen had any relapse since they have been discharged?—Some have been ill for some time, but when they came to me, generally their health was much better.

Did you ask them whether they had infected others with the disorder?—No, I did not ask them that.

It was not stated to you that they had?—No, it was not.

Did they tell you that they had had many relapses?—They had been poorly when they first went out, but they told me that they were much better.

You did not hear of so many relapses as amongst those that remained in confinement?—O dear no.

What is the greatest number of relapses of any prisoners you have now under your care?—I have, I think, some that have relapsed eight or ten times, I may say more than that.

Have you discovered any number of cases of persons who have pretended to be ill, when they were not so?—I have, certainly, in the early part of the building, before this disease took place ; I have discovered that they did that for the purpose of getting into the infirmary.

You have not discovered recently, since this illness occurred, any instance of people shamming sickness?—I have not, among the females.

Sir Gilbert Blane, Bart. M. D. called in ; and Examined.

WHAT opportunities have you had of becoming acquainted with the comparative healthiness or sickness of the different districts of the Metropolis?—I have been forty years a practising physician at this end of the town, and I was twelve years a physician of the greatest hospital in this district, St. Thomas's hospital.

*Sir
Gilbert Blane.*

Have you ever been consulted by Government upon that subject?—Yes, I was, in the year 1810 ; I was sent by Mr. Yorke, then First Lord of the Admiralty, to make a report on Northfleet, how far it was safe to have a dockyard there ; I went and spent two days there, and examined the locality, and found it an extremely aguish place ; but I nevertheless reported, that a dock might be safely constructed there, because in the course of my inquiries, and in the course of my port duties, I had demonstrative proofs, that as soon as ground comes to be built over and paved, it loses its sickly quality. I was told, by an old inhabitant, a professional man at Portsmouth, forty years ago, that formerly Portsea and Portsmouth, before it was built over and paved, were as sickly as the adjacent country round Hilsea, but there has been no such thing since it was built on ; I should say the same of the banks of the Thames.

Have you generally turned your attention to subjects of that nature?—Very much so ; I have been in the constant habit of studying it, both as a duty and as a matter of importance, of which I had the highest conception during the whole of my professional life.

Were you called upon by Government to give any opinion as to the erection of the York hospital?—No.

Sir
Gilbert Blane.

(March 17.)

Are the districts on the banks of the Thames peculiarly infected with exhalations?—Very much so; that is, those that are vacant from buildings, such as the intervals between this and Woolwich, between Horsley Down and Rotherhithe, between Rotherhithe and Deptford, and so on as far as Chatham, except where it is built over.

Have you ever made any inquiry as to the healthiness of those towns and villages that are erected along the shore, whether they were affected by the vicinity?—Yes, I have; and when I was physician to St. Thomas's hospital, I had occasion to receive people from all quarters of the town, and I never found agues to belong to that district; the agues that came in, were Irish labourers from the eastern counties of England; I do not suppose I had five agues from the poor of the metropolis in the neighbourhood of St. Thomas's hospital.

You have stated, that the immediate neighbourhood of the Thames is subject to exhalations; is there any difference between one district and another?—I think further down the river, on the south side, is rather more so than the north side, till once you get to the hundreds of Essex.

Is there any difference in the immediate vicinity of the metropolis, between the Surrey side and the Middlesex side?—I should say the Surrey side is the worst of the two.

Can you give any reason for that?—It is lower and more swampy, the land is marshy.

Where it is built over, the Committee understand you to state, that those causes cease?—The sickness ceases in those spots that are built over and paved.

Is that reach district, called Battersea Reach, considered unwholesome?—It never came under my observation, either in private practice or hospital practice.

Did you ever hear that the vicinity of Tothill Fields and that district, were affected by any disease arising from those exhalations?—No, I never did; I thought *à priori*, that it ought to be affected, seeing the foul ditches in Rochester Row. Seeing other places so, I thought so from theory, but I never heard that it was so, either in my own practice or that of others.

What are the peculiar diseases that are excited by those exhalations?—Intermittent and remittent fevers.

At what season of the year do those fevers generally make their appearance?—In the autumn, much more than any other season.

In the winter also?—In the winter not so much; the cold naturally represses exhalation.

They hang over the winter, though they be excited generally in the autumn?—Not only from the exhalations being greater, but the constitution in consequence of the previous heats of summer, has a greater predisposition to the disease in the autumn.

Is not the Penitentiary situated in the midst of one of those districts that are subject to exhalations?—It is; anciently, when the district was not built over, I have no doubt that it was subject to remittent and intermittent fevers.

You stated, that you should have argued so *à priori*, but that you have never heard that the circumstance took place?—No, never from my own observations, and I have asked the practitioners on the spot, and they say, that they have not met with cases of ague.

In the hospital that you attended, there were not a number of persons coming from that district affected with those diseases?—None.

What reason can you assign to the Committee, why the Penitentiary, situated in the midst of one of those unhealthy districts, reasoning *à priori*, should not be affected by those exhalations?—The reasons I have given, it being built over and paved; and I also understand, that the foundation is made up of shingle; that there was great pains taken to have a stratum of gravel and shingle, so as to raise the ground upon which it is built.

Should you think the progress, not only of building, but of cultivation in this neighbourhood, in turning up the ground for the culture of garden stuff, contributed considerably to the increased healthiness of the site?—So far as draining is concerned.

You have mentioned two diseases, namely, intermittent and remittent fevers, are there any other diseases that arise from the locality of the situations that you have mentioned?—I do not think that there is any disease attributable to soil but intermittent and remittent fevers; I know of none.

Do

Do you think that the locality of the Penitentiary had any thing to do with the disease that has lately existed there?—I do not think it, and I have considered it a great deal; I cannot attribute any portion of it to locality.

Sir
Gilbert Blane.

(March 17.)

Do you consider the Thames water is a wholesome beverage?—Very much so.

Has it been recently affected by the gas companies, the residuum of the gas?—I am not master of that; I have not considered that. There has come into my mind at this moment, a method of rectifying water. When I was in the West Indies in the year 1780, we had seventeen sail of the line, and there was a bowel complaint in every ship but one, the Stirling Castle, which was free from that complaint; being physician to the fleet, I inquired what peculiarity there was to account for that, and I found they only had a practice of putting a handful of quick-lime in every cask of water, which made it more wholesome.

What do you conceive to have been the cause or causes of the late epidemic?—I should say, in the first place, the cold winter; secondly, the too scanty food; thirdly, the want of exercise and low spirits; and fourthly, that though that building is extremely well calculated for ventilation, it would still admit of improvements in this respect, both internally and externally.

In your repeated examinations of that building, has any thing suggested itself to you, by which ventilation would be improved?—There has, both in regard to the ventilation properly called so, which means internal, and the outward ventilation, more properly called perfation. With regard to the internal structure, the cells are extremely well and judiciously contrived in a great part of the Penitentiary. There is an air hole over the doors, which I think is a great preservative; some of them have a very small hole, but in several of the pentagons in which the women are lodged, particularly in the situation in which fresh air was most wanted, they had not a hole over the door; now I was led to annex great importance to this, from a circumstance communicated by my friend, the late Mr. Howard, in his account of the prisons and hospitals, which he did me the honour to present me. He remarked, that there had been in the Leeds hospital, for a long series of years, no compound fracture or capital surgical operation recovered, till they made a large hole over the doors in the walls, and from that period they did well. From that circumstance, whenever I have been consulted about prisons and hospitals, I have said, Be sure and have a hole over the door. It may be done the more safely, in respect of cold, because it does not admit the external air, as it opens into passages. I went over the Penitentiary yesterday, in order to refresh my memory, and to enable me to give more satisfactory answers.

It prevents the accumulation of the effluvia which produces fever and hospital gangrene?—Exactly so; with regard to the external ventilation, I do think that the pentagons are too close, that some opening should, if possible, be made through the close pentagons, and that the partition walls should either be pulled down, or made open work. I was led to annex great importance to that from another fact, with regard to the plague which happened here in 1665; It is mentioned by the principal historian of it, that for many weeks before there had not been wind enough to turn a vane; the same was remarked by the Dutch physicians, when the plague was in Holland. And I am led to consider, that not only internal sweetness of air, but a free external perfation was absolutely necessary for health, and for the prevention of contagious diseases.

Do you consider the mode of warming the Penitentiary has had any effect upon the prisoners?—I should think one of the means of preventing sickness hereafter would be, a greater degree of warmth in a cold winter, for I think the cold winter had a share in producing this disease; whenever there is a winter eminently cold, the means of procuring warmth should be increased, for the warmth is not only beneficial as warmth, but it permits the safe admission of air, otherwise when it is very cold the fresh air is excluded.

Do you consider the present mode of warming the Penitentiary by stoves, as in any degree objectionable?—No, I think not.

In four of the pentagons that are occupied by males, the warmth was conveyed by atmospheric air brought in and warmed in its passage through the Penitentiary; and in the two that are occupied by females, and which were warmed by steam, that is not the case at all, or not so to the same degree; do you conceive that one of those modes is preferable to the other?—Certainly.

You consider the steam to be the least proper of the two?—The warmth produced by steam from the surface of flues, without any circulation of air, is less beneficial.

Sir
Gilbert. Blane.

(March 17.)

Are you of opinion, that if the disorder which prevailed in the Penitentiary had shown itself in any other large prison in the kingdom, that the same effect would have resulted?—Under the same combination of circumstances.

You do not attribute it to the particular locality, but that it would in any other situation have produced the same effect?—Under the same circumstances.

In the vegetable world steam is considered more efficacious than stove heat, how does that apply with regard to the animal world?—I have not considered that; but it is a maxim in physics, that all heat is essentially the same.

The one would produce greater evaporation and lassitude and perspiration in the person than the other?—That would depend on the degree of stagnation and moisture.

That which might be beneficial to the vegetable creation, might be prejudicial to the animal?—Certainly.

You have mentioned a variety of causes to which you attribute what has taken place in the Penitentiary; do you think those causes are avoidable, supposing it should be the intention of government to re-people the Penitentiary?—I do think they might be; since I sat down here I have noted down the remedies I would propose, one of which I have already alluded to, respecting the structure, I mean the ventilation, by those openings in the walls that I have mentioned, which have been omitted in a very great proportion of it, and in the external structure to remove all bars as much as possible, and, if possible, to admit a free current, by breaking through, if it could be done, large openings like gateways in the opposite sides of the pentagons, and to pull down all the partition walls, and make iron rails as much as possible. I would recommend exercise, and particularly a tread-mill; I am perfectly convinced that the tread-mill is one of the best species of exercise that has ever been thought of; I would next recommend an improved diet, I mean superior to what it was in the month of January 1823; not that I attribute the late disease to diet alone, because there are prisons that have as low diet as that without any such complaint. It depends on a nice concurrence of circumstances.

Moral as well as physical?—Yes; though I have never seen the least reason to find fault with the cleanliness of it, I would recommend redoubled cleanliness; that is, unlimited use of soap and water and brooms, frequent change of bed and body linen; I would recommend redoubled attention to all those things, also frequent whitewashing.

Were you ever in the Penitentiary when it was in its old administration, before the illness broke out?—Yes, I was.

You had then no reason to complain of want of cleanliness?—No.

Was it not remarkably clean and neat?—Very much so; I have been in the habit of annexing very great importance to cleanliness; and I mention it, not on account of having observed any fault, but that there should be redoubled attention to it.

Do you think, from what you have stated to the Committee as to the concurrent causes that produced the epidemic in the Penitentiary, that it would be unsafe for His Majesty's Government to re-people the Penitentiary?—I conceive myself to be answering that question now, and I was enumerating the remedies that might make it safe; I have only further to mention, that an increased degree of warmth in the cold winters would be very desirable.

Are you aware, that in the two pentagons that were most complained of, No. 5 and 6, an attempt was made to warm them with two stoves, under a notion that a third would not be necessary, but that a third has been since placed in those two pentagons?—No.

The Committee understand you to say, that supposing the food to be increased, the warmth augmented in severe winters, better ventilation, more exercise and continued attention to cleanliness, you see no reason why prisoners should not be sent to the Penitentiary?—No reason whatever.

You mentioned just now, that you thought there were moral causes concurred, do you not think it might be advisable, if the Penitentiary were re-peopled, to have more moral amusement and rather to relax the discipline?—That is included under the general heads of exercise and recreation.

Do you think it would be advisable to continue the present regulation, of persons not being allowed to speak above a whisper when they are walking?—Innocent recreation of the mind is certainly conducive to health.

Is not recreation of the mind essential to health?—Very much so.

Did you ever see any account of the number of persons who annually perished in the convent of La Trappe?—No; but I have no doubt that dancing, music and such like recreations would contribute to health.

Do

Sir
Gilbert Blane.

(March 17.)

Do you consider that any alteration in the present construction of the privies would be of use in obviating the recurrence of disorders?—No, it does not occur to me.

Do you not think that the disease has been communicated by using the same privy?—Certainly, by the recent exhalations from the feculent matter adhering to the opening. I say *recent*, for it is found that long accumulations of feculent matter, however offensive, is not particularly noxious to health; chemists having observed, that it is not liable to the putrefactive fermentation like other animal matter.

Can you suggest any mode by which those places can be so altered as to prevent contagion?—I am not mechanic enough for that; none can be better than the common excellent contrivance of Bramah.

Either by throwing down lime or any thing else?—No, I should think not; certainly I have known bloody flux communicated by the recent exhalations.

Do you think the number might be increased with advantage?—Certainly; the greater the number the more would be the dilution, as it were, of the filth.

Do you give the preference to a closet over a common privy that is used by people generally?—Whatever would best prevent the adherence of the feculent matter to the opening would be most beneficial.

When you mentioned dancing and music as what would exhilarate the spirits, did you mean to say that you can recommend dancing and music in the Penitentiary, or only as an example of what, from your own experience in the navy, contributed materially to the health of persons?—I should say, that every sort of exhilarating recreation was good for health, but I must leave to those that know better than myself the practicability and expediency of applying it.

Should not you think, that, for example, with respect to the selection of books, that if the prisoners are allowed only one particular class of books, which is the case in the Penitentiary at present, that it would be desirable to vary that selection; that is, to allow them books that mix some little amusement with religious and moral instruction?—On the same principle, every thing that amuses the mind, contributes to health; and reading among the rest.

Is not all sorrow and suffering adverse to health?—Most assuredly; all care and anxiety, and other depressing passions, are adverse to health and long life.

You stated, that you have known people kept in health with a diet quite as low as that which was adopted in the Penitentiary?—I heard so, in the course of the inquiries last year. I think it was at Dorchester gaol.

Did you ever hear of an instance where the diet completely consisted of liquids?—Not in my own knowledge.

Supposing all those precautions which you have recommended were strictly followed, do you think that the length of confinement, for six or eight or nine years, would materially injure the health of the prisoners?—I do not think it would bring on any species of contagious disorder; it might generally undermine the health, but it would not produce a contagious disorder; it might predispose to it by depression of spirits.

Are you of opinion, that the scantiness of diet alone, was sufficient to account for the origin of the late disease?—No, I do not; I think it was a combination of circumstances, a combination that it is very difficult to unravel. It may be worth while to mention to the Committee, that there have arisen in the annals of general history, and still more in the annals of physic, great numbers of contagious complaints, which have been temporary and local; those best known in general history are the plague, the sweating sickness and leprosy; but there are a great number of others more obscure, that have broken out. One broke out in Cornwall a few years ago, one family was entirely swept away by a peculiar distemper; it was one of those non-descript complaints that arise from peculiar and unassignable circumstances, and such as has arisen in this Penitentiary; and by breaking the chain of that combination, by removing as many of those concurrent causes as we can, that peculiar combination would be broken through and prevented.

You have no doubt in your own mind, of the contagiousness of this disease?—I have no doubt of it; though we cannot assign the exact degree of all the elements of it. The great elements of all contagious and pestilential diseases, are squalid habits of life, scanty and unwholesome diet, fatigue, crowding more or less dense, depression of mind, combined with want of ventilation, and all of these mixed up in different proportions and durations, create various specific complaints, some of them very anomalous, and of a solitary and peculiar nature.

Sir
Gilbert Blane.

(March 17.)

Are contagious distempers liable to recur in general?—Under the same circumstances that produced them ; many contagions are of a nature, that they cannot be had twice, such as the small pox and the measles.

You know, that in this instance, relapses have been continual?—Yes, I have heard so.

Is not dysentery a disorder liable to frequent relapses?—Very much so.

If dysentery was produced by contagion, would it be liable to relapse?—It would ; I have seen it.

How do you suppose that this disorder was communicated?—I think very much from the privies ; I confess that circumstance had escaped my attention, till the very apposite remark that was made by the honourable member opposite to me.

Do you think it could be communicated by the use of the same bedding?—Yes, I do.

By the same blankets?—No doubt of it.

Can it be communicated by inhaling the breath?—No, I do not think it could ; I should think it was something connected with the exhalations of the feculent matter.

Would the discharge of these prisoners contribute materially to their recovery?—I think the dispersing of them would be the means of their final recovery ; for by remaining in the same situation, they are exposed constantly to the cause that produced the complaint, in accruing concentration.

Do you think, that the introduction of any of these prisoners, say fifty, who have had the disease, and who are of course liable to relapse, into any of the convict ships, would subject the prisoners in the convict ships to the chance of the disease?—I think not, if they were previously washed and had a suit of clothes quite different from what they wore while they were under the disease ; and with these precautions, I should not think there was a possibility of their carrying the contagion.

Supposing that any of those relapses which are so frequent, should occur amongst the prisoners so moved into the ships ; do you think there would be any liability to the spreading of that disease?—If they are entirely free of it and purified in the way I have mentioned, I think there would be no risk.

Supposing they had a relapse, would they then be liable to carry the disease in the place where they should be, when they had a relapse?—The relapse might be contagious.

So that, as you consider the disease to be contagious as it stands now, so a relapse would be equally contagious?—It might be contagious, but I will not say that it would be equally so ; I should think not.

In the case of a re-consideration of the rules of the Penitentiary, or any alteration, you would recommend some relaxation of the moral discipline?—I do not know what the moral discipline is, I speak upon the general principle of cheerfulness and recreation being conducive to health.

Are you aware that there is no sort of amusement allowed?—I do not doubt that the permission of innocent amusement would be conducive to health.

Playing at ball, battledore and shuttlecock, or any thing of that sort?—I only speak to the abstract principle ; the application of it must depend upon the discretion of those who conduct the administration.

Supposing your opinion to be asked by Government, should you recommend that prisoners who have been in the Penitentiary, though they may not now be subject to disease, should be placed amongst the convicts in the convict ships?—There would be some risk, unless they were stripped and washed. I should recommend that if it is re-peopled (as I hope it will) that it should be done by fresh subjects.

Supposing Government were to ask your opinion, whether any danger would attend the removal of the prisoners who were in the Penitentiary and are now on board certain vessels, to the hulks at Sheerness and Woolwich, to be mixed amongst the convicts in those hulks ; should you think there would be any danger of contagion?—There would be a risk of conveying the complaint, on the same principle as in the Regent's Park, in respect to the Narcissus.

Then you would recommend, in preference to their removal into the hulks at present occupied, that they should be placed by themselves in separate hulks?—Certainly.

Veneris, 19^o die Martii, 1824.

THE HONOURABLE HENRY GREY BENNET,

IN THE CHAIR.

Sir Henry Halford, Bart. M. D. called in; and Examined.

HAVE you visited the Penitentiary at Milbank?—Yes.

You have seen the building more than once?—Yes.

Have you seen it recently?—Yes, I was in the courts of it to-day; I was not much in the interior, but I was in the courts of it this morning.

Is there any thing in your opinion, in the construction of that building, that you should consider as unfavourable to the general health of the persons who are confined there?—I should say, considering all the circumstances under which they are confined, that there is not a sufficient current of air, a sufficient perfusion of air in all the courts in which they take exercise.

Have any means suggested themselves to you, by which that additional perfusion of air can be supplied?—It appears to me, without being an architect myself, that a very simple expedient might be had recourse to, in making apertures in the walls between the airing grounds; I think there is a greater necessity for air upon the ground floor than there is any where else; that is wanted I think essentially.

Then if apertures were made, so that a greater current of air would be constantly passing through, whatever objections that would arise in your mind from the confinement of air, would be thereby got rid of?—I should think so, certainly.

Have you had an opportunity of reading over the evidence that has been given to this Committee, as to the general state of health in the Penitentiary, and the causes of the late epidemic?—I have.

May the Committee ask you, what is the general result of your opinion as to the hazard of placing persons again in the Penitentiary?—I should think, after the precaution of evacuating it as it has been done now for some months, so as to allow winds and winter to pervade every part of it, with such further precautions as I am now stating, on which the Committee will exercise their judgment, that it may be practicable enough to use it for the purposes for which it was intended hereafter.

The Committee understand you to say, that it might be used without the probability of the prisoners being subjected either to the old disease, or to any new disease arising from the peculiar construction of the building?—I believe so.

Should you think the locality is likely to generate peculiar complaints in the prison?—No; I see no evidence of that kind of disorder that belongs to a low and marshy situation in the character of the disease that has been hitherto produced.

Then whatever complaint has arisen in the Penitentiary, which has amounted latterly to an epidemic, you would consider as arising from other causes than the locality in which this prison is built?—I do; I believe it to have been generated by the confinement of a number of human beings in a circumscribed spot, under the influence of moral causes, and under the influence of a lower diet than circumstances would enable them to bear, to counteract such a disease.

The coldness of the last winter also was one considerable cause?—It was not without its share in producing it.

Supposing, for instance, that all the avenues of St. James's square were blocked up, and the houses were filled with their ordinary inhabitants, and that St. James's square was divided into four or six courts, should you think that that square so situated, would be less healthy than it is at the present moment, with all the avenues open?—I think it would be less healthy, considerably; but I think it would require such causes as belonged to the Penitentiary only, to have created a contagious disease.

Do you consider, from what you have seen in evidence, that the disease has become contagious?—I do; I believe it has become contagious.

Should you think, that not only increased warmth, but increased food and increased exercise, would be very advantageous to the health of the prisoners?—I should; but they would all combined do nothing, without a freer circulation of air.

Should you think as one of the moral causes likely to affect the health of the prisoners, the absence of innocent recreation, a considerable one?—I should; I should think it expedient to introduce any innocent recreation that you possibly could, and that that would enable them to counteract the influence of the disease.

*Sir
Henry Halford.*

(March 19.)

Sir
Henry Holford.

(March 19.)

What species of recreation should you think the best to give to prisoners?—Something that would employ them chiefly; I am not prepared exactly to say.

Suppose we were to take the word “play,” should you not think that would be advantageous to their health?—Certainly.

Are you aware, that in the old practice of the Penitentiary, all the relaxation that they enjoyed was walking two and two in the courts, with the small conversation that took place, only taking place in a whisper, and with the general absence of all appearance of gaiety of spirits; should you think that a practice that was advantageous to their health?—I should not think that exercise adequate to prevent the effects of that moral cause that I was stating as necessary to constitute a part of the disease, such exercise as that is not sufficient to counteract that moral cause.

Do you think, that if the prisoners there had permission to play about with battledore and shuttlecock or ball, if it could be safely used, that that amusement would contribute by its gaiety and cheerfulness to their general health?—I should have no doubt of it.

Are you aware, that it is the intention of His Majesty's Government to disperse a great portion of the male prisoners who are now on board ships at Woolwich, and who were in the Penitentiary, amongst the old convict ships in the hulks at Sheerness?—I was not aware of it, but I should think that was preferable to returning them to the Penitentiary.

Do you think there would be any chance of their carrying with them that disease, and infecting with it the convicts who are now in the hulks?—It is not easy to say how long the capability of communicating disease may be carried about a person, but I should think, under the circumstances of their being on board ship now, that in the course of some weeks from this time there could be no danger of their conveying the disease elsewhere.

You are aware, that it is not intended to move them in a mass; do you not think that that number, being diluted, as it were, amongst a great number of convicts, would lessen very considerably any danger of infection?—Yes; something would depend upon the situation which they were to be removed to; if they were going to be removed into a state of close confinement, I think it would unquestionably require a longer quarantine, but if they were to enjoy a free persilation of air on board the decks of ships, I should think that would contract the time that would be necessary.

If they were employed in out-doors work, you should think that would considerably lessen the danger of any return of disease?—Certainly.

Have you any reason for thinking, that the Penitentiary was unhealthy before the commencement of the disease in the last autumn?—I think, from the evidence of the physicians, on which I rely very much, there appears to have been a disease for some time past of the same character.

Do you infer that from the tables that were published?—Yes.

From any other source?—No; I have none but the evidence of the apothecary and the physicians.

Have you seen any other statement respecting the cases of the administration of the chalk mixture, except what appears in the tables?—No, I have seen none. The apothecary who administered it would be able to give the best account on what grounds he administered it.

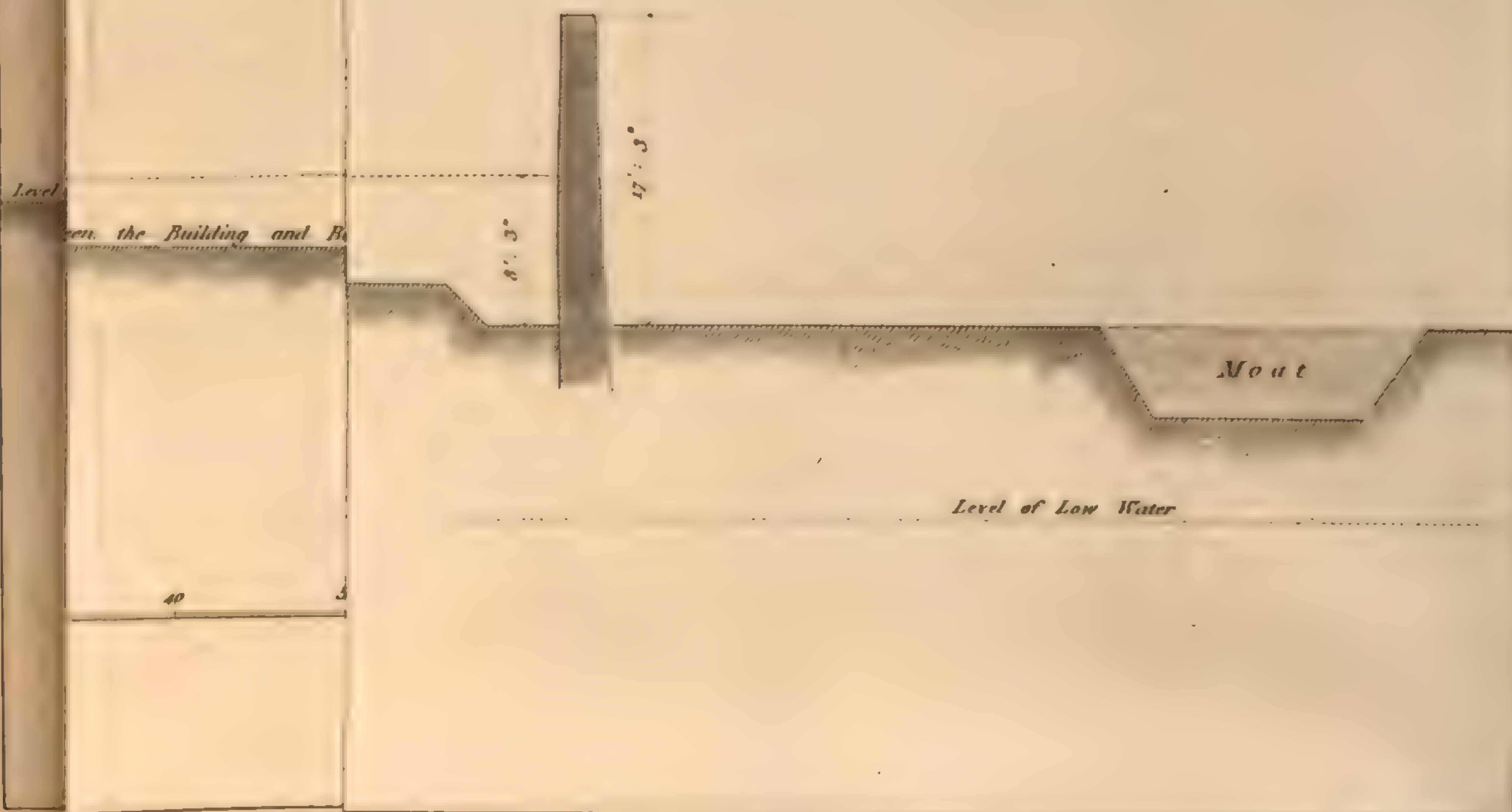
Are you aware that he has said, that he always gave that mixture to any body complaining of a bowel complaint generally, and that Dr. Hutchison also said, that as it was necessary to give something to any prisoner that complained, he, (Mr. Pratt) he supposed prescribed that as an innocent medicine?—It accords with my own ideas of this disease, that it will proceed very gradually, and you will have solitary instances of it for some time, till at last it amounts to a great magnitude.

Are you aware that it appears from the tables, that it was diminishing instead of increasing?—Yes, till the year 1821.

Would not strong exercise, such as the tread-mill or the crank mill be sufficient to preserve the health of the prisoners, provided they were able to use it every day?—That would not be without its advantages, but I should suppose a mixture of both would be most useful; I lay great stress upon the amusement of the mind to counteract the moral cause.

[Mr. Holford, a Member of the Committee, delivered in a PLAN of a Section, showing the comparative level of the buildings of the Penitentiary, and of the river at high and low water.]

Section
shewing the comparative Level of the
BUILDINGS OF THE PENITENTIARY,
and of the River at High & Low Water.



Appendix (B.)

PAPERS laid before the Committee on the General Penitentiary at Milbank.

N^o 1.—REPORT by *George Holford*, Esq. notifying the arrangements in progress for removal of part of the Female Convicts to the Ophthalmic Hospital in the Regent's Park, and of the Males to the Ethalion Hospital Ship at Woolwich.

General Penitentiary, 26th July 1823.

I HAVE to report to the committee various circumstances and transactions connected with the present state of the Penitentiary.

It being the decided opinion of all the medical gentlemen connected with the establishment, that change of air was essential to the recovery of many of the sick, and that no time should be lost in removing them from the prison, the disorder having also extended to several of the officers, both male and female, I had several conferences with Mr. Peel upon this subject; the particulars of which, and of the several communications which I had under his direction with others, it is not necessary to report in detail.

The result has been, the transfer to the committee, to be used as part of the Penitentiary, under the late Act of Parliament, (of which, the Act not being yet printed, we have not been able to procure a copy) of the Ophthalmic hospital, for the reception of such of our sick female prisoners as it may be thought expedient to send thither, and of the Ethalion hulk for male prisoners.

The hulk had been previously viewed and approved of as fit for the purpose required, by Dr. Roget and Dr. Latham, in company with the governor and myself, at Woolwich, at which place she now lies, and where it is proposed she should continue.

As the necessity for removing the sick prisoners was urgent, I took possession of the Ophthalmic hospital as soon as I received a verbal intimation from Mr. Peel, that Lord Palmerston had consented to its being given up to us; and I authorized the performance of such works, without delay, as appeared to be required for its occupation by the prisoners.

I also directed the governor to make such arrangements as might be necessary for the transfer of a part of the prisoners, if possible, by Monday next, and I have signed an order for taking out into the garden of the Penitentiary, such of the sick female prisoners as the physicians shall point out for that purpose.

On board the hulk, nothing could be done until a regular official order had gone down from the Admiralty to the Navy Board, and from that Board to the officer in charge at Woolwich, for the delivery of the vessel for the use of the committee. That order, however, went down on Thursday last, and Mr. Capper has kindly undertaken to direct such works as will be necessary, previous to the removal of our prisoners into the vessel. I hope we shall be able to transfer some of the sick thither in a few days.

(signed) *Geo. Holford.*

N^o 2.—DATES of the removal of Female Prisoners from the Penitentiary, Milbank, to the Ophthalmic Hospital in the Regent's Park; and of Males to the Ethalion hospital ship at Woolwich.

THE first detachment of Female Prisoners was removed from the Penitentiary to the Ophthalmic Hospital,—

	consisting of	- - - 30	on the 30th of July 1823.
The second	- - -	- - - 30	on the 1st of August.
	- - -	- - - 30	on the 5th d ^o .
	- - -	- - - 10	on the 9th d ^o .
	- - -	- - - 20	on the 14th d ^o .
	- - -	- - - 10	on the 4th of September.
	- - -	- - - 15	on the 2d of October.
In all	- - -	- - - 145	

The first detachment of Male Prisoners was removed from the Penitentiary,—

	consisting of	- - - 61	on the 16th of August 1823.
The second	- - -	- - - 89	on the 25th d ^o .
	- - -	- - - 30	on the 2d of September.
	- - -	- - - 20	on the 15th d ^o .
In all	- - -	- - - 200	

General Penitentiary, }
4th March 1824. }

Robt Auld, Sec^r.

N^o 3.—EXTRACT from Minute of the Superintending Committee of the General Penitentiary, directing certain Papers to be laid before Mr. Peel.

AT a Meeting of the superintending Committee held the 18th of October 1823.

Resolved,—That copies of the Report of the physicians of the 20th of last month, of the questions put to them and answers received since that period, of their Report of the 11th instant, and of Mr. Holford's Report of the 15th, be sent to the Secretary of State for the Home Department.

Extracted by

Rob' Auld, Sec^y.

N^o 3. A.—REPORT by the Physicians, on the effect of the Removals.

General Penitentiary, 20th September 1823.

Gentlemen,

IN compliance with the request of the committee to know the result of our observations, we have great pleasure in being able to report, that the removal to the Ethalion hulk at Woolwich, of as many male, and to the Ophthalmic hospital in the Regent's Park, of as many female, prisoners, as each could accommodate, has been productive of great benefit.

The habit of all the prisoners is strikingly improved, and the majority have recovered the appearance of robust health; in this number, many are included whose lives had been brought into hazard by successive attacks of the disease in its several forms, and who, at the time of their removal, were in a state of great debility. The disease itself, we have the satisfaction to state, has gradually assumed a much milder character, but even yet it is extensively prevalent; and it is remarkable, that many whose general health seems entirely re-established, still experience from time to time the recurrence of their former disorder in a mitigated form. We have the honour to be, &c.

(signed)

P. Mere Latham, M. D.

Clem' Hue, M. D.

P. M. Roget, M. D.

W^m Macmichael, M. D.

H. H. Southey, M. D.

To the Superintending Committee of the General Penitentiary.

N^o 3. B.—Questions to the Physicians, 27th September; and Answers, 4th October 1823.

Questions submitted to the Physicians in attendance upon the General Penitentiary, by the Superintending Committee of that Establishment, 27th September 1823.

Answers by the Physicians; delivered in to the Committee, 4th October 1823.

1. Are any of the female prisoners at present in the hospital in the Regent's Park, in the opinion of the physicians, sufficiently recovered from the prevailing disease, to be safely removed back to the Penitentiary?

1. We consider that all the prisoners who have suffered the disease during the last twelvemonth, for whatever period of time they may have been free from its actual symptoms, are still under a liability to relapse, which they will be more likely to incur by a removal back to the Penitentiary.

2. Can such prisoners, when so removed, be placed in their respective cells, put upon such dietary as shall be considered a wholesome prison dietary, conformable to the Act of Parliament, and pursue their ordinary occupations required by the rules and regulations of the prison?

2. If a selection were made of those prisoners who have been for the longest time free from the actual symptoms of the disease, and if such prisoners were removed back to the Penitentiary, although we consider that by such removal they would be more liable to relapse, we think, nevertheless, that this liability would not be specially augmented by their return to the ordinary diet and occupation of the prison.

3. Are the physicians of opinion that the disease is contagious?

3. There are strong grounds for believing that the disease has become contagious; the evidence may not be of a nature positively to establish the fact; but, practically, we feel it imperative upon us to act upon the presumption that it is contagious.

4. In the event of such prisoners as are considered sufficiently recovered from the disease, and perfectly free from any contagious communication, being returned to the usual prison discipline, and afterwards suffering under relapse, will not the disease again become contagious, consequently prevalent in the prison?

4. If the disease be contagious, there can as yet be no assurance that the influence of the contagion has ceased. The origin of contagion being entirely unknown, it is impossible to say under what other circumstances than those in which it has already been produced, it may again be generated.

5. Are

5. We

5. Are the physicians of opinion that the character of the prevailing disease is sufficiently understood among medical men, as generally speaking, it is curable?

5. We consider that the disease is of a dysenteric character; but that, as an epidemic, it has those kinds of peculiarities by which epidemics, bearing the same name, are often found distinguished from each other. We think, that, generally speaking, it is curable; understanding, however, that in order to its cure, a choice be allowed of placing the patients under the most favourable circumstances.

6. Are the physicians of opinion, that such of the prisoners as have been afflicted with the disease will not suffer so materially in their constitutions by a lengthened imprisonment, as that at the expiration of the term of their confinement they will not be able to work for their livelihood?

6. We are unable to answer this question in the general terms in which it is proposed. It is impossible to calculate the effect of a protracted confinement in the Penitentiary upon a number of individuals, differing in original constitution, in the length of time they have been afflicted with the disease, and in the number and severity of the attacks they have experienced.

7. In what way do the physicians expect persons who have suffered from the disease to be affected by the setting in of winter?

7. The setting in of the winter may be expected to have an injurious influence on all those who have suffered from the disease.

Robt Auld, Secy.

(signed)

P. M. Latham.

Clem Hue.

P. M. Roget.

H. H. Southey.

Nº 3. C.—Further Questions to the Physicians, 4th October; and Answers, 11th October 1823.

Further Questions submitted to the Physicians, 4th October 1823.	Answers, 11th October 1823.	
	MALES.	FEMALES.
1st. Number of prisoners now considered cured* of the disease which has prevailed in the prison, after having had one or more relapses	138	—
2d. Number now cured who have had the disease once only, but severely	69	—
3d. Number cured, who have had the disorder once slightly	—	—
4th. Number cured without being removed from Milbank	106	—
5th. Number cured after being removed to the Ethalion	106	—
6th. Number cured after being removed to the Regent's Park	—	22 {not taking medicine.
7th. Number now in the prison, who have never been affected by the disorder	65	8

* By "cured" is meant, persons who are now quite free from any symptoms or appearance of the disease, whom the physicians deem proper objects of the ordinary discipline of the prison, and whom they do not expect to have under their care again in the infirmary from the recurrence of their late disorder.

By the term "cured" we mean to express only those who are now free from the symptoms of the disease. With this explanation, we believe, the above numbers to be correct.

(signed)

P. M. Roget.

H. H. Southey.

Robt Auld, Secy.

Nº 3. D.—Further Questions to the Physicians, 11th October; and Answers, 15th October 1823.

Further Questions to the Physicians, 11th October 1823.	Answers, 15th October 1823.
The physicians are requested to state the favourable circumstances alluded to in their report,	The circumstances alluded to in our answers to one of the questions lately proposed to

report, as necessary to place the patients in, with a view to effect a cure.

to us by the committee, as being favourable to the complete re-establishment of the health of the prisoners who have suffered from the late epidemic, are those auxiliaries to medicinal treatment of which we have generally the command and the choice in private practice, where we have the power of giving to each individual the benefit of that particular regimen as to diet, air, situation, exercise and recreation, best adapted to his case. But these are advantages which are obviously unattainable under the uniform system of discipline established in prisons.

Whether the Physicians consider the continuing prisoners together, is likely to retard their cure?

We do not think that the continuing prisoners together, except in as far as it deprives them of most of the advantages we have stated above, as calculated to promote their recovery, is likely to retard their cure.

Robt Auld, Secy.

(signed)

P. M. Latham.

P. M. Roget.

Clem. Hue.

W. Macmichael.

H. H. Southey.

Nº 3. E.—REPORT by the Physicians in attendance on the Sick at the General Penitentiary.

Gentlemen,

11th October 1823.

THE severity of the disease prevalent at the Penitentiary having greatly abated within the last few weeks, we have had more time to turn our attention from the immediate care of the sick, and to make further inquiry into the origin and progress of the epidemic. We beg to lay before the committee all the details of our investigations.

We have perused all the written communications of the medical officers to the committee, from June 1820, when such communications were first regularly made, down to the present time.

These communications consist of Reports made quarterly by the medical superintendent and the apothecary; of Reports made monthly by the apothecary; and of numerous special Reports made by one or other, or by both of them, at various times and at uncertain intervals.

The quarterly and monthly Reports contain observations upon the state of health of all the prisoners in the Penitentiary; the condition of those in the prison at large, ascertained at their general inspection, as well as the condition of the sick in the infirmaries, who were under constant observation and care.

The special Reports consist of returns made by the medical officers, of all deaths that occurred, of notices of the diseases that proved fatal, also of answers to inquiries respecting the health of individual prisoners; and they contain, moreover, various requests, suggestions and observations, relating to circumstances connected with their department.

In these communications we find the healthy state of the Penitentiary announced after a general inspection in June 1820, and constantly and uniformly confirmed after every quarterly and monthly general inspection, down to the commencement of the present year; we find its exemption from disease again and again insisted upon, as something striking and peculiar; and we also find comparisons drawn between the health of those in common life and the health of the prisoners in the Penitentiary, and conclusions deduced to the advantage of the latter.

Nevertheless, diseases did occur from time to time in the Penitentiary; but we discover in these communications no opinion expressed by the medical officers, that any one disease was predominant, or any one disease of a peculiar character.

Throughout these communications, the only notices of disease resembling that which has lately prevailed in the Penitentiary, are the following:—

In a Report after a general inspection, dated October 2d, 1820, among 47 cases of various diseases then in the infirmary, five cases of diarrhoea are mentioned without further comment. No trace of this disease is afterwards found, until a Report, after a general inspection, dated November 2d, 1821, a single case of diarrhoea is mentioned, which proved fatal, but without comment. Again, no trace of this disease is met with, until in a Report, after a general inspection, dated January 6th, 1822, one dangerous case of dysentery is mentioned; and again, in a Report, after a general inspection, dated February 2d, 1822, one fatal case of diarrhoea. Here the dangerous case of dysentery in one month, and the fatal case of diarrhoea succeeding, refer to the same individual.

No allusion to the disease is afterwards made, until in a Report, after a general inspection, dated June 4th, 1822, two fatal cases of diarrhoea are mentioned; and among the dangerous cases then in the infirmary, one of diarrhoea is noticed, which, in a special Report made the next day, is said to have proved fatal.

Afterwards,

Afterwards, in a Report after a general inspection, dated July 1st, 1822, one dangerous case of diarrhœa is mentioned, which terminated fatally, as we learn from a special Report on the following day. From July 1822 to January 1823, there is no allusion made to a single case of diarrhœa, when in a Report, dated the 10th of the latter month, "a few more cases of diarrhœa" are spoken of; in the following month, viz. February, scurvy and flux are said to be gaining ground, and in the beginning of March, these two diseases pervaded the whole prison.

Thus, in these authentic records of the health of the Penitentiary, regularly drawn up by the medical officers, and regularly presented to the committee for their information, we can only find, during the period of two years and eight months which immediately preceded the declared existence of the epidemic, eleven cases of any diseases at all similar to that epidemic, in its character and symptoms. Of these eleven cases, six proved fatal.

From these fatal cases, however, occurring as they did at periods remote from each other, or indeed from all of them, mentioned as they were at the time of their occurrence, without any special comment by the medical men who observed and treated them, we should not now be justified in drawing any inference. As far then as any information can be obtained from these documents, we should still attribute this disease which has prevailed in the Penitentiary, entirely and exclusively to the influence of diet, and to a severe and protracted winter.

But we have thought it our duty to have recourse to other documents, and we have extracted from them, facts of unquestionable importance, which were hitherto unsuspected by the medical men who have watched the course of all the diseases that have occurred in the Penitentiary since its first establishment.

We have examined the Apothecary's Day-book, and every paper upon which any record has been preserved, of medicines ordered for the sick, from the year 1816 to the present time, including every prescription for the severe ailments of those in the infirmary, and for the complaints of those who were still well enough to pursue their ordinary occupations in the prison. We have also examined the bills of charges for different kinds of medicines that have been furnished to the Penitentiary within the same period.

By the help of these documents, and inferring, as far as we could with safety, the nature of diseases from the medicines that have been procured, and the kind of remedies prescribed for individual cases, we have endeavoured to form the most reasonable conjecture whether any, and what disease has been predominant in the Penitentiary before the last twelvemonth; and if any, whether it has been at all similar to the epidemic that has recently prevailed there.

The following Table gives the number of Prisoners in the Penitentiary every year since the year 1816, with the number of cases treated as diarrhœa in every year.

	*1816.	1817.	1818.	1819.	1820.	1821.	1822.
Prisoners - - - - -	72	212	246	351	609	798	866
Cases of Diarrhœa - - - -	23	104	106	82	85	87	88

We are aware that inferences concerning the nature of a disease deducted from the remedies employed for its cure would, in general, be hasty and inconclusive. But as in the present case, the nature of the disease is unequivocally indicated by the particular remedies used, we may, with certainty, conclude that diarrhœa has existed in the Penitentiary from its first establishment, and that it has prevailed in various degrees of extent at different periods; that, proportionably to the number of prisoners, it prevailed to the greatest degree during the year immediately after its establishment, and that it has prevailed in a less and less degree each succeeding year down to the period, when the present epidemic was discovered.

From the same documents we discover certain peculiarities belonging to this disorder, peculiarities which become more and more remarkable in each succeeding year (even although the numbers decrease) evidently distinguishing it from the disorder of the same name, which proceeds from common and accidental causes.

Common diarrhœa is easily curable and by the simplest means; and in constitutions otherwise healthy, we are not aware that it is at all liable to recur habitually.

But this disorder (we find) did not readily yield to the methods of treatment employed. These records show how pertinacious and intractable it was in many whom it attacked. The same prisoners were again and again brought under medical treatment for it in the same year. Many of the patients of one year are found to have been the patients of the preceding year, and as the period becomes more and more remote from the first establishment of the Penitentiary, we find prisoners still suffering diarrhœa, who had already endured it one, two, three or four years.

The following Table gives the gross number of cases treated as diarrhœa in every year, and also the number of cases continued from preceding years to the succeeding, the latter

* The numbers in this year refer to a period of six months only.

latter being included in the gross amount. It furnishes also the number of new cases in every year, by subtracting from the gross amount of each year the cases continued from preceding years.

	1817.	1818.	1819.	1820.	1821.	1822.
Gross number of cases of diarrhœa in each year - - - - -	104	106	82	85	87	88
Number continued from preceding year	11	32	31	23	20	17
Number of new cases in each year - -	93	74	51	62	67	71

The following Tables show how far back each case of diarrhœa that was continued from one year to another can be traced.

In 1817: of 104 cases, 11 are traced back to - - - 1816.

In 1818: of 106 -- 32 - -- - 26 to 1817.
6 - 1817 & 1816.

In 1819: of 82 -- 31 - -- - 18 - 1818.
13 - 1818 & 1817.

In 1820: of 85 -- 23 - -- - 12 - 1819.
6 - 1819 & 1818.
4 - 1819 & 1818 & 1817.
1 - 1817 & 1816.

In 1821: of 87 -- 20 - -- - 7 - 1820.
4 - 1820 & 1819.
5 - 1820 & 1819 & 1818.
1 - 1819 & 1818.
1 - 1818.
1 - 1818 & 1817.
1 - 1817 & 1816.

In 1822: of 88 -- 17 - -- - 8 - 1821.
4 - 1821 & 1820.
2 - 1821 & 1820 & 1819.
2 - 1820.
1 - 1821 & 1820 & 1819 & 1818.

Upon the whole, we think that the facts adduced, warrant us in concluding,—

That a disorder of the bowels, of a peculiar nature, at all times difficult of cure, and of the same general character with that which has constituted the late epidemic, has prevailed in the Penitentiary ever since its establishment; but that until the commencement of the present year it became gradually more and more limited in its extent, and that although it has been always difficult of cure, it has not upon the whole been attended with much hazard to life, until the breaking out of the late epidemic.

Such are the details of our investigations, the facts they have disclosed, and such the conclusions to which they have conducted us; but as the existence of any local influence productive of disease can only be presumed from certain effects, it is also only from these same effects that the degree and sphere of its activity can be estimated. Whatever noxious influence peculiar to the Penitentiary may be suspected to exist, this influence must have abated of its activity in proportion as the disease became more limited; that is, as the period was more remote from the first establishment of the prison. It was therefore (as every thing seems to testify) when this disorder was reduced within narrower limits than at any former period, that suddenly the same disorder became much more extensively prevalent than it had ever been, that it assumed the form of an epidemic, and went far beyond its former character, in the severity of its symptoms, and in its fatal consequences.

Our belief is, that but for the change of diet and the severe and protracted winter, the disease never would have assumed the form of an epidemic. The universal debility produced by these causes, rendered the prisoners more obnoxious to an influence which, as far as we can judge, had become less powerful in itself for the production of disease.

(signed)

P. M. Latham, M. D.

P. M. Roget, M. D.

Clem^r Hue, M. D.

W^m Macmichael, M. D.

H. H. Southey, M. D.

N^o 3. F.—REPORT by *Geo. Holford*, Esq. Visitor, 15th October 1823.

HAVING since the last meeting of the committee, on Saturday last, the 11th instant, inspected the hospital in the Regent's Park, and the ship at Woolwich, as well as the prison at Milbank, and having had a good deal of conversation with the officers employed at those places upon the state of health of the prisoners under their care respectively, I think it right to report such remarks as have occurred to me upon this most anxious subject.

The Physicians have stated in their Report of the 20th September, that the removal of the male prisoners to Woolwich, and of the females to the Regent's Park, "has been productive of great benefit," that "the habit of all the prisoners is strikingly improved, and the majority have recovered the appearance of robust health;" that "in this number many are included, whose lives had been brought into hazard by successive attacks of the disease in its severest forms, and who at the time of their removal were in a state of great debility;" that "the disease itself (they have the satisfaction to state) has gradually assumed a much milder character, but is even yet extensively prevalent;" and, "that it is remarkable, that many whose general health seems entirely re-established, still experience from time to time the recurrence of their former disorder in a mitigated form."

In this Report, no distinction is made between the prisoners sent to the Ethalion and those removed to the hospital in the Regent's Park, but the same degree of abatement in the disorder, and of improvement in the health of the prisoners, is represented as having taken place at each of these establishments.

The Report corresponds entirely with my observation, and with the information derived from my inquiries upon the spot, as far as relates to the prisoners on board the Ethalion. Of 196 prisoners on board that ship, I found only 23 persons in the part of the ship used as an infirmary, and not one person confined to his bed by this disease*. I understood that relapses had not been frequent, and that it had not been necessary to recur frequently to the continued use of mercury†.

Of the officers sent down to the ship, three who had been severely attacked by the prevailing disorder while at Milbank, are quite recovered, and have had no relapses since they went on board, and of the four new officers not one has had the disorder,

In the hospital at the Regent's Park, the signs of improvement are certainly much less obvious. Of 101 prisoners there, including one who has never been ill at all, and a few convalescents sent for the service of the kitchen and laundry, above 70 are now under the influence of medicine. When I attended divine service on Sunday last, 32 women were too ill to be brought into the room in which the service was performed, and there were 12 women in bed, and two more ordered to go to bed, when I visited the hospital this morning.

I am told that relapses are constantly occurring among those who seem the most healthy; in proof of which, added to the general statements made to me upon this subject, I have to remark, that of 20 prisoners, whose names were sent in, about a fortnight ago, by the physicians, to the committee, as being convalescent and fit to be removed to Milbank, to see if they would remain well there; 15 have since relapsed, and several are now severely affected by the disorder. But the most extraordinary difference between the Ethalion and the Regent's Park, as to the prevalence of this disease, is to be found among the officers and servants of the two establishments. The officers of the hospital consist of

a Matron,	a Task-mistress,	4 Female Turnkeys,
1 Female Cook	1 Male Steward,	1 Messenger, 1 Porter.

The matron has also a maid servant, who is not a prisoner, and who was with her at Milbank. Of these, the matron, who had the disorder slightly at Milbank, has had a severe attack of it since she came to the hospital; the task-mistress had it slightly at Milbank, and has had it severely at the hospital; of the four turnkeys, three have had it, decidedly, since they came to the hospital, (two of them more than once) and the fourth has had it, though so slightly as not to take medicine for it, or mention it to the physicians; the cook has not had it at either place. Of the male officers, the steward, who had the disorder at Milbank very severely, has had no return; the messenger, who never was in our service at Milbank, has had it very severely; the porter, whom we found at the hospital, and continued in the situation of porter there, has had it twice decidedly; and the matron's maid servant, also, who, residing at Milbank in a separate part of the building from the prisoners, never had any intercourse or communication with them, and had therefore never contracted this disease before she came to the hospital, has since been so decidedly attacked by it as to have been subjected to mercurial treatment for its cure. The only other person residing at the hospital is an assistant surgeon, who informs me, that he has himself very recently been slightly affected by this disorder.

Under these circumstances, I cannot divest my mind of the belief, that this disorder is communicable by contagion, or infection, (probably by the latter) and that the contagion or infection is decidedly in operation at the hospital, though it seems not to operate so strongly, if

* There were four persons in their beds, two on whom surgical operations had been performed, one very ill of consumption, and one from some disorder, which I do not now recollect.

† I believed, till lately, that the slight cases only had been sent down to Woolwich, but this was certainly not the case; for on the 3d September, only two sick men were left in the male infirmaries, and they were not left because they were too ill to be removed, but because it was in contemplation, from peculiar circumstances, to recommend them for pardon.

if at all, on board the *Ethalion*. How this is to be accounted for, is a point which the physicians are more likely to discover than I am; but there is this difference between the treatment of the prisoners in the hospital and on board the ship, that in the latter a portion of the vessel is parted off as an infirmary, and the prisoners who relapse are separated from the convalescents, whereas, in the hospital, difficulties have occurred to prevent any arrangement of this kind, and every person who relapses, continues in the same bed which she occupied before the recurrence of the disease; if, therefore, there be infection in the building it is likely to spread through every room, and, at all events, the presence of patients in bed, taking mercury, cannot but prevent the complete exposure to air to which the room would be subjected, for the purpose of ventilation, if it were entirely empty, for a portion of every day; perhaps too, the more complete change of atmosphere which takes place on board the ship, may carry off infection. The hospital in the Regent's Park, and the Penitentiary at Milbank, are both of them well ventilated, as compared with other buildings on shore; but any building consisting of courts, or contiguous ranges of buildings, or surrounded with a boundary wall, cannot, I apprehend, bear comparison, in regard to ventilation, with a ship swinging round four times in the twenty-four hours with the tide, and having nothing of the same height with itself on three sides to intercept the air for miles. If any person will observe how the smoke coming out of a chimney in London, if it happens to beat down, continues to cling to the walls and hang about the neighbourhood of the building from whence it issued; and how, on the contrary, it flies off at once from the hulk, he will, I think, be led to suspect that any impurity floating in the atmosphere will pass away much more readily from the ship at Woolwich, than it would from the buildings at the Regent's Park or at Milbank, although in very airy situations for buildings near a town.

It will probably be said, that this is mere matter of conjecture and surmise, it is so; but it appears to me, that most of those who have attempted to reason upon this disorder, as to its causes, the mode of treating it, the time at which it commenced, or its probable termination, (including the gentlemen of the medical profession as well as those who are not professional) have been indulging largely in hypothesis, and wandering in the regions of conjecture from the very beginning of the inquiry; and I fear that the opinion which I now venture to offer, *viz.* that the sick prisoners at the Regent's Park will not be cured so long as persons under the influence of the disorder shall not be kept separate from the convalescents, and even from each other, is a conjecture, with more probability for its basis than many which have been hazarded in the course of these investigations. The opinion, that the cure of the prisoners is retarded by their being kept together, seems to be much strengthened by the fact of the complete recovery (as far as we have information) of most of those who have been pardoned in consideration of their state of health, some of whom were considered as extremely ill when they were discharged.

To return, however, to facts; the favourable prospect held out in the Report of the 20th September, does not appear to me to be borne out by fact, as far as it relates to the prisoners at Milbank, any more than it is with respect to those at the hospital. Of the disorders having assumed a milder appearance in its relapses there, as well as at Woolwich and at the Regent's Park, the physicians alone can judge; but it should be remembered, that this disorder has been growing milder ever since the month of March last, that it is not yet grown so mild as to be subdued in its re-appearance, without recurrence, in most cases, to the use of mercury. And that the number of patients labouring under this disorder, instead of being diminished, is increasing very rapidly.

On the 3d September last, there were two prisoners in the male infirmaries, there are now 37. The statement of female prisoners under medical treatment, (that is in the infirmaries) and in those parts of the third and fourth pentagons which were then used as infirmary wards, on the 3d July last, as given in the physicians' Report of the 4th, was as follows:—

Stationary	-	-	-	-	-	-	-	22
Convalescent	-	-	-	-	-	-	-	37
Well	-	-	-	-	-	-	-	83
Ill of other diseases	-	-	-	-	-	-	-	22
								164

There are now 101 at the Regent's Park, and 60 have been discharged by pardon in consideration of their state of health, between the date of the Report and the end of September; two died in July, and one in August; and of 30 whose time has expired since the Report, several were among the patients included in the number of 161 above-mentioned. If the sickness, therefore, had not increased at Milbank since July 3d, we ought to have no patients in the female infirmaries; but we have this day 37; and I can assure the committee, that this statement does not afford any thing like a full view of the increase of sickness in the third and fourth pentagons; for of the 52 who are pursuing their ordinary occupations in the prison, a very large proportion are now under the influence of the disease. There is so great a dread of recurring to the use of mercury among the females, and so strong a desire to enjoy the very liberal prison diet now afforded in the prison (particularly the porter in the laundry) instead of being reduced to sick diet in the infirmaries, that the prisoners will not tell of their relapses as long as they can conceal them, unless very closely questioned; and I strongly suspect, that the same considerations are operating in the other pentagons, to keep the male prisoners in their cells who ought to be in the infirmary.

Under

Under all these circumstances, the question which naturally presents itself as requiring immediate consideration, is, what is to be done? for that something more than is now doing should be done, admits, I think, of no dispute. In regard to the male prisoners at Milbank, the course to be pursued appears to be a clear one. They may be divided into three classes or descriptions, with reference to the state of their health; the first, consisting of those who are now labouring under the immediate influence of the prison disease; the second, of those who have been ill, and of whom a large proportion may be expected to relapse; and the third, of those who never have been attacked by the disorder. The two first descriptions of persons should, I conceive, be sent on board hulks fitted up for the purpose; and I cannot but think, that the third, which does not in all the four pentagons amount to more than between 60 and 70 individuals, should be disposed of in the same manner. Some of those may have had or may now have the disorder without complaining, and when a disorder is infectious, and is liable to re-appear after long intervals of apparent health, it is certainly desirable to send away all prisoners who might be the means of reviving it, after new prisoners should be received; and in this case I should submit, that all the prisoners sent to the hulks should be fixed there permanently, by an Act to be passed for that purpose when Parliament meets.

The manner in which the women should be disposed of, is a consideration of much more difficulty; but it seems obvious, that they, as well as the male prisoners, should all be removed from Milbank before other female prisoners can be prudently received there. I am afraid they will be found to be chiefly of the first description stated above, viz. actually under the influence of the disease; those of the third description, viz. those who have never had the disorder are only eight in number.

The question with regard to the female prisoners, is not so much whether they ought to be removed from the Penitentiary, as what place can be found for them, or how they should be treated, with a view to the cure of the disorder. In the extreme exigency of the case, I own, I think the best and most humane course would be, to pardon all those (whatever portion of their imprisonment yet remains unexpired) of whose future good conduct any reasonable expectation can be formed, and who have respectable friends, able and willing to take care of them. Still, however, there would remain a long list of those who are too bad to be discharged, and who have no friends to take care of them. If the season were not so far advanced, I should think that a ship would be the fittest receptacle for these women; but I fear it would not be safe now to place females, many of whom have been under the influence of mercury, on board a ship till the spring. Wherever they may be placed, a material reduction by pardon in this number would render it more easy to separate the sick from the convalescent, and to adopt efficacious means of protecting them from the influence of contagion or infection from each other, than it can be while their numbers continue so great. The committee will see that this Report is very hastily written, as I have had but three clear days to inspect the establishments at Milbank, at Woolwich, and at the Regent's Park, and to frame this sketch of a report upon the result of my inspection.

(signed) *Geo. Holford.*

N^o 3. G.—Further Questions to the Physicians, 15th October; and Answers,
18th October 1823.

Further Questions to the Physicians,
15th October 1823.

Answers, 18th October 1823.

1st. Whether, in the opinion of the physicians, new prisoners can, with safety, be taken into the Penitentiary while any of the prisoners remain who are or have been affected with the prevailing disorder?

We think not.

2d. Can they assign any time within which they think the health, either of the male prisoners at the Ethalion, or of the female prisoners at the Regent's Park, will be completely restored, so as to admit of their return to the Penitentiary?

We are unable to assign any time.

3d. Whether, under all present circumstances, it would not be advisable, with a view to the complete re-establishment of the health of the Penitentiary for future purposes of confinement, that all the prisoners now confined in it should be removed?

We think that it would be advisable.

4th. Do they conceive there can be any danger from the admission of fresh prisoners into the Penitentiary, after the present prisoners in it shall have been removed from it,
408. and

When the present prisoners have been removed, and the Penitentiary has been properly cleansed and fumigated, and when the severe months of winter are passed over, if fresh

and proper cleansing and fumigation shall have taken place?

fresh convicts be then placed in the prison, we can assign no reason why the health of its inmates should not be as good as it was in 1821. But it is essential that the diet of the prisoners should not be less nutritious than it was in that year.

(signed) *Robt Auld, Secy.*

P. M. Latham.

Wm Macmichael.

P. M. Roget.

H. H. Southey.

Clement Hue.

N° 4.—LETTER from G. R. Dawson, Esq. containing certain Questions to be answered by the Physicians, by directions of the Secretary of State.—Whitehall, 21st October 1823.

Sir,—IN reference to your letter of the 18th October, I am directed by Mr. Secretary Peel to request, that you will call upon the physicians in attendance upon the sick belonging to the Penitentiary, for a detailed report upon the several points following:—

1st. The state of the disease at present existing in the Penitentiary, as compared in point of malignity and extent, with its state at former periods.

2d. What has been the general result of the experiment made in August and at subsequent periods of transferring a portion of the male prisoners from the Penitentiary to the Ethalion hulk.

3d. The same question, with respect to the transfer of females to the Ophthalmic hospital in the Regent's Park.

4th. Is there reason to believe that the transfer of the male prisoners now in the Penitentiary to another hulk to be prepared for their reception, would be an advantageous measure to the prisoners themselves, as conducive to the recovery of the sick, and preventing the risk of disease in the case of those who have hitherto suffered.

5th. The same question as to the removal of female prisoners now in the Penitentiary, to some place of reception like that in the Regent's Park.

6th. Could the whole of the female prisoners, now in the Penitentiary, be safely removed to a hulk at this period of the year; or could any portion of them, those for instance who have not suffered, or very slightly suffered from the disorder.

I am, Sir, your most obedient servant,

(signed.) *Geo. R. Dawson.*

The Chairman of the Superintending Committee of the General Penitentiary.

N° 5.—ANSWERS by the Physicians to the Questions contained in Mr. Dawson's Letter of the 21st October 1823.—23 October 1823.

1st. AT former periods there was in the Penitentiary every gradation of complaint from the severest dysentery to the mildest diarrhœa; and the most formidable, or the dysenteric cases, were greatly predominant. At present, with a few exceptions, there is no disease beyond a diarrhœa, and the milder cases predominate. The malignity of the disease is therefore greatly abated. With respect to the extent of the complaint, if it be estimated from the number ill at the present moment, it is greatly diminished; but all in the Penitentiary, who have once had the complaint, are continually suffering short relapses.

2d. The result of this experiment has been highly satisfactory. The prisoners transferred to the Ethalion hulk, have gained a greater degree of health, and have suffered fewer relapses than those in any other situation.

3d. The female prisoners now in the hospital in the Regent's Park, and who had been originally selected as being those who were suffering the most from the prevailing disease and its effects, have since their removal, notwithstanding they have experienced frequent relapses, on the whole, gained ground considerably. Comparing the general improvement that has taken place in their health, with the progress made by the females who have remained in the Penitentiary, we think ourselves warranted in concluding that they have derived considerable benefit from their having been transferred to the Ophthalmic hospital. It is certain, however, that they have benefited much less than the men on board the hulk.

4th. We think such a transfer of the male prisoners now in the Penitentiary to another hulk, would be a measure advantageous for the purposes contemplated.

5th. We think that such a removal would unquestionably be desirable.

6th. Although the period of the year be unfavourable, still we should consider that the removal of all the female prisoners to a hulk, if it could be soon effected, would upon the whole, be an advisable measure.

(signed)

P. M. Latham.

Clem. Hue.

P. M. Roget.

H. H. Southey.

N° 6.—DATES of the Removal of the remainder of the Female Prisoners from the Penitentiary Milbank, to the Narcissus Hospital Ship at Woolwich, and of the Males to the Dromedary.

ON the 14th of November 1823, the remainder of the female convicts were removed from the Penitentiary to the Narcissus hospital ship at Woolwich, consisting of 81 in number.

On the 8th of December, 153 males were removed from the Penitentiary; and on the 11th of the same month, 127 were removed, being the remainder of the male prisoners, to the Dromedary hospital ship at Woolwich, a few of whom were placed on board the Ethalion.

General Penitentiary, 4th March 1824.

Rob' Auld, Sec'.

N° 7.—EXTRACT from Minutes of the Superintending Committee of the General Penitentiary, relative to a Suggestion of Dr. Roget's, as to Removal of part of the Females from the Regent's Park, to the Narcissus Hospital Ship at Woolwich.

AT a Meeting of the Superintending Committee, held the 29th November 1823;—

Dr. Roget having suggested the propriety of removing part of the female convicts at the Regent's Park, to the Narcissus Hulk;

Resolved, That the governor be directed to report to next meeting what accommodation there is on board of that vessel for the reception of more prisoners, and for how many.

AT a Meeting of the Superintending Committee, held the 6th December 1823;—

The governor having, agreeable to the resolution of last meeting, examined and measured the decks of the Narcissus hospital ship, submitted a report upon the accommodation which may be obtained on board of that vessel for more female prisoners, which having been considered;

Resolved, That five or six of the female convicts at the Regent's Park, to be selected by Dr. Roget, be removed to the Narcissus hulk at Woolwich.

Extracted by *Rob' Auld, Sec'.*

N° 8.—REPORT by Doctors Latham and Roget, upon the expediency of procuring another Hulk, for the removal of all the Female Prisoners from the Regent's Park, 6th December 1823.

To the Committee of the General Penitentiary,

Gentlemen,—HAVING observed that the females removed from the Penitentiary to the Narcissus hulk at Woolwich, have experienced a much more rapid and satisfactory improvement in the state of their health, than those removed to the Ophthalmic infirmary in the Regent's Park, we beg to suggest it to the committee, as a desirable measure (if possible), to transfer the latter to another hulk in the same situation.

December 6th, 1823.

(signed)

P. M. Latham.

P. M. Roget.

N° 9.—DATES of the Removal of the Female Convicts, from the Ophthalmic Hospital in the Regent's Park, to the Heroine and Narcissus Hospital Ships at Woolwich.

ON the 21st of January 1824, the first detachment of female convicts was moved from the Ophthalmic hospital to Woolwich, consisting of - - - - - 46 in number.

On the 23d of the same month, the remainder were removed, consisting of 45

In all - - - 91 of whom six

were placed on board of the Narcissus, and the rest on board of the Heroine.

Memorandum:—The number originally removed from the Penitentiary to the Regent's Park, was 145, of whom - - - 2 were returned to the Penitentiary,

52 were discharged, and

91 as stated above, removed to the hospital ships at Woolwich.

Making - - - 145

General Penitentiary, 4th March 1824.

Rob' Auld, Sec'.

N^o 10.—OBSERVATIONS, laid by Mr. *Holford*, before the Managing Committee of the Penitentiary, on the 7th Feb. 1824, on the Medical Report made by the Physicians to that Committee; dated 11th October 1823.

IT may seem, at first sight, to savour of presumption for a person who can have no medical knowledge, to attempt to controvert opinions formed upon a medical subject by physicians of eminence and talents; but it may be recollected, that the conjectures (for they can lay claim to no higher character) of these gentlemen in this Report, are not founded upon any thing which has fallen under their own observation, but rest entirely upon facts, which they have candidly and fully stated in the Report, and, as it appears to me, that they have left unnoticed in their inquiry, circumstances and considerations which are material to be taken into the account, although of a nature not to occur so readily to persons whose attention has only been called of late to the prison, as to those who have been longer conversant with it, I think I may, without impropriety, endeavour to point out some of their omissions; and I shall be much mistaken, if I do not show that the premises which they have laid down in their Report, are much too imperfect to warrant the conclusions they have drawn from them.

The Report, after examining the several communications from the medical officers of the establishment to the committee, during a period of two years and eight months, with a view to the discovery of the prevalence of diarrhoea in the prison before the commencement of the present epidemic, admits, that no inference can be drawn in support of that fact from those documents. It then proceeds, however, to trace out diarrhoea by a different course, viz. by an inquiry into the remedies administered to the prisoners since the prison has been opened, and assuming (I presume correctly) that the chalk mixture or chalk powders can only be given for this disorder, sets forth tables, first, of the number of cases in which this medicine has been given in each year; and secondly, the number of instances in which this medicine* has been administered to the same individuals in successive years; from which tables the physicians conclude as follows: "That a disorder of the bowels of a peculiar nature, at all times difficult to cure, and of the same general character with that which constitutes the late epidemic, has prevailed in the Penitentiary ever since its establishment; but, that until the commencement of the present year, it became gradually more and more limited in its extent, and that although it has been always difficult to cure, it has not upon the whole been attended with much hazard to life, until the breaking out of the late epidemic."

The Report then goes on to state, "That whatever noxious influence may be suspected to exist, this influence must have abated of its activity in proportion as the disease became more limited, &c. &c." and concludes, by stating an opinion, "that but for the change of diet and the protracted winter, the disease never would have assumed the form of an epidemic. The universal debility produced by these causes, rendered the prisoners more noxious to an influence, which, as far as we can judge, had become less powerful in itself for the production of disease."

Before I proceed to inquire how far these Tables prove the prevalence of diarrhoea of any kind, I beg to ask, how they can show, that the diarrhoea, for which the medicine alluded to, is supposed to have been given, was of a peculiar nature, or had any resemblance to the present disease. Can the exhibition of the chalk mixture or powder prove that this disease was preceded or accompanied by petechial spots or blotches? that it had a dysenteric character? that it was attended with tenesmus? or with the inflation of the lower regions of the abdomen, or the very sudden and violent pains, which were observable in the present disorder? All these symptoms will be negatived by the medical man who gave the medicine; nor was the treatment of the two disorders the same; but we are called upon to infer the existence of a diarrhoea similar to the present one, merely from the supposed use of a medicine, by which the present disorder has not been cured, the physicians having, on the contrary, found themselves obliged to have recourse, for its cure, to the use of mercury, pushed in general to such an extent as to produce salivation.

I deny, however, that the liability of the prisoners to diarrhoea of any kind can be estimated by the quantity of medicine administered for that disorder in the prison.

The first thing which it occurs to a prisoner in any prison to say, when he wishes to feign illness, is, that he has a pain in his bowels, and whenever such a complaint has been mentioned in the Penitentiary, the party has had the chalk mixture or powder, of course, without any previous investigation into the reality of the disease, as the surgeon will testify. Every prisoner, therefore, who has pretended to have a pain in his bowels as an excuse for not doing work enough, or from a wish to have a few days enjoyment of better food, or of ease and idleness in the infirmary, or from a desire to miss chapel, or plague his turnkey to let him out of his cell to the privy in his ward oftener than was convenient, or from any other cause, even though he may have been discovered afterwards to have been shamming, is included in these Tables as a case of diarrhoea, his name appearing on the surgeon's books among those who had taken chalk; and I believe the medical gentlemen who drew the Report, may safely be appealed to as witnesses for this fact, viz. that the class of cases of † feigned illness is not a small one in the Penitentiary; and can speak from their own experience

* I take the chalk medicine and the chalk powders, to be entirely the same medicine—chalk in different forms. The physicians proceed upon that supposition; for some of the patients, whom they set down as having had diarrhoea, had only taken the mixture, and others only the powder.

† It was stated by Dr. Roget and Dr. Latham, in a Report dated July 1821, that "owing to certain suggestions made to them by others, they had been led to distrust the statements of prisoners respecting

experience of the curious tricks and devices practised in support of imposture, and of the difficulty of detecting it; they can also probably remember instances, in which prisoners have purposely brought back their illness by drinking cold water and other expedients; and I can tell them, that when the prisoners were employed in flax beating some time ago, several of them were detected in chewing the flax to produce a temporary derangement in their bowels, all of whom now stand, of course, in these Tables as cases of genuine diarrhœa.

I come now to cases of sickness, neither feigned nor purposely produced. I believe that a great majority of the cases, for which medicine may have been properly given in the Penitentiary, would never have been brought under the observation of a physician or apothecary, if they had occurred out of the prison, or have been known to any but the parties affected, who would (to use a common phrase) have allowed the disorder to carry itself off, or perhaps have varied their food. If a medical man were to go round certain streets inhabited by poor families in a part of the town esteemed the most healthy, prepared to dole out his medicine to any individual who chose to apply for it, and this for nothing; and if he were besides to enter upon a regular examination of every inhabitant in those streets once a month as to the state of his health, I suspect he would find at the end of the year, that he had expended more medicine than had been sold in any other district of the same size from the apothecaries' shops in the neighbourhood; but he certainly would not be warranted in drawing any unfavourable comparison between the streets under his care and the neighbouring districts. Now the wards of the Penitentiary are just like these streets.

Disorders of the bowels are, I am told, not uncommonly found in prisons, or among any large bodies of men who are all fed alike, and have not the opportunity of varying their food, until there shall be an actual appearance of some derangement of the system; and it is not improbable that diarrhœa may have been prevalent in a prison where very coarse brown bread has been the basis of the dietary; but I deny that this fact can be inferred in opposition to other evidence, from the mere examination of the quantity of medicine sent into the prison, even if the surgeon had stood by to see it taken, which he undoubtedly was not in the habit of doing. If it be true, that the number of cases in which the chalk mixture has been given, has been gradually diminishing during the period of six years and a half, alluded to in the physician's report, so that comprehending one-third of the whole number of the prisoners in the first half year ending on the 31st of December 1816, they amounted only to one-ninth or one-tenth of the number in the prison during the whole of the year 1822 (as is stated in the Tables in the Report) I certainly cannot infer from that fact, any change in the climate of the Penitentiary, or any gradual improvement in the local circumstances connected with the prison, but should rather look for the causes of the decrease in the number of patients or quantity of medicine, to the surgeon's having discovered that he had been too lavish of his physic, or to his having become more skilful in detecting the attempts of prisoners to impose upon him, or to the greater care taken by himself or the officers to see the medicines taken, or to such changes in the diet or discipline of the infirmary, as may have diminished the desire of the prisoners to be removed thither, &c. &c. &c.

There are, moreover, other classes of persons residing within the prison, who seem to have been strangely overlooked upon this occasion. We have a considerable number of inferior officers, male and female, within the walls of the Penitentiary, and it is well known, that bowel complaints have not been prevalent among them before the month of April last, when the disorder was evidently infectious, and several of the officers employed among the prisoners were attacked by it. We have also had, from the first establishment of the prison, families of superior officers residing in the very centre of the building, which have been so healthy, that no individual belonging to any of them has died since the prison was opened.

To come now to the Tables exhibiting the number of patients affected by diarrhœa in each year, and of those in whom that disease is traced to successive years. Assuming, for the sake of argument, that every dose of medicine was given for a real disorder, I must still doubt, how far the principles upon which these Tables, though drawn up with great labour, have been constructed, are correct for the purpose of showing the prevalence of diarrhœa. The first defect in them appears to me to be, that they make no distinction between cases, in which the bowels of the patient have been relaxed for a single day, and cases which have been obstinate and protracted. If the greater number of convicts within the prison should appear to have had a looseness for one day in the course of the year, I think it can hardly be stated, from any number of such cases, that diarrhœa has been a prevalent disorder in the Penitentiary; nor if many prisoners have had relaxed bowels
once

"respecting their own complaints, unless confirmed by other circumstances;" but that "their greater experience of the prisoner's conduct and character had led them to give further credit to the prisoners' own statements." I think it right to mention, that I was not one of the persons meant by the word "others;" on the contrary, I accompanied the physicians into the prison at their desire when the testimony alluded to was disputed, and concurred entirely with them in thinking that the prisoners spoke the truth; but that testimony only related to the time at which some symptoms of the existing disease had first attracted their notice; a circumstance which they had no interest to misrepresent. That the representations of the actual state of their health when they wanted to go into the infirmary or to come out of the infirmary, or when they have any particular object in view, cannot be depended on, is a fact notorious to all persons connected with the prison, and to none more so than the physician deputed by the college, who were always complaining of the prisoners' mis-statements respecting their health, as well as of the extraordinary and ingenious contrivances to which they resorted to, for purposes of deceit, upon this head.

once in the course of each year, for several successive years, can such persons be considered as having had a disorder "difficult of cure," such repeated instances of relaxed bowels in a succession of years being nothing more than is experienced by a large proportion of the inhabitants of this country. Now there is in these Tables no distinction between the cases of patients, to whom one single delivery of medicine has taken place, and of those who may have been under a long continuance of medicine, either in the same year, or in successive years. I have been furnished by Mr. Pratt, from whose papers these Tables have been formed, with a list of the prisoners who have taken the medicine alluded to, from the first opening of the prison, and with the daily quantity of medicine delivered out to each. I cannot make the numbers amount to those mentioned in the Report; but there are a great many cases, in which one single delivery of "a mixture," or of "chalk powder," appears to have taken place during the whole period of the prisoners confinement. There are also a great many cases of prisoners who appear to have had medicine delivered to them on two days only in the course of two or more successive years; and there is one case of a woman who had medicine only on the 31st of December in one year, and on the 1st of January only in the next, who, I learn from Mr. Pratt, stands in these Tables as a patient for diarrhœa in the two successive years. From these Tables, moreover, if framed with a view to the discovery of the extent in which diarrhœa can have been produced by any local influence in the prison, should be excluded all cases in which the looseness of the bowels has arisen in the latter stage of other disorders, from the debility occasioned by consumption, &c. &c. and cases, where the patients are known to have had the digestive organs materially injured by drinking, or other vicious courses, before they came into confinement, &c. When all these shall be withdrawn, the numbers will, I suspect, be very materially diminished; at all events, so long as they stand on the file undistinguished, the Tables cannot be considered as containing the result of an investigation into the effects of local influence, even admitting, what I believe no person will be credulous enough to believe, that all the cases, for which medicine has been given, have been cases of real sickness for which physic would be taken in ordinary life.

G. Holford.

P. S.—Since the foregoing Observations were written, I have looked more narrowly than I had done before, into part of the papers given to me by Mr. Pratt, which he assures me are faithful extracts from his books of all the entries respecting the delivery of chalk mixture, or chalk powder, since the opening of the Penitentiary (these entries being the ground of the Physicians' Report; and if these extracts have any pretensions to correctness, the Tables of the Physicians must be abandoned as entirely useless with reference to the matter in question, or indeed as to any matter. I have taken up that portion of the Tables which professes to give the whole number of the patients who took chalk in 1822, and the numbers traced back as having taken it in former years, and have examined these numbers with the entries in Mr. Pratt's books as vouched and explained by the extracts given to me. I chose the last year in the Tables (1822), because I thought the year in which the prison began to be affected with the prevailing epidemic, was that from which, if any similar disorder could be traced back to former years, it was most important to trace it, and I have no reason to suppose, that the Tables are more or less accurate in respect to the patients of that year than they are concerning those of any other year.

The Tables make the whole number of patients for diarrhœa in that year 88; I make them 90; but I find that more than the half of that number, are cases in which medicine has been delivered out only once. The physicians make the numbers traced back 17; I make them 24; but in a very large proportion of these, the patient has only had the medicine once given to him in most of the years into which he is traced. If the physicians mean, that the number given comprises all who had taken chalk in the preceding years, they have omitted several; but if they mean, that there are 17 cases in which persons who were afflicted with diarrhœa in 1822, had been under the influence of chalk medicine in preceding years for any considerable length of time, that is certainly not the case according to these papers.

— N° 2. —

ABSTRACT OF THE NUMBER OF PRISONERS

To whom any Delivery of Chalk Mixture, or Chalk Powders, has taken place in the Penitentiary, during the latter part of the year 1816, and during the years 1817, 1818, 1819, 1820, 1821, and 1822; distinguishing the Number of Deliveries to any one Prisoner during each year.

NUMBER OF DELIVERIES.	1816.	1817.	1818.	1819.	1820.	1821.	1822.
One - - - -	9	40	49	53	62	71	72
Two - - - -	7	16	13	19	18	28	21
Three - - - -	- - -	7	4	7	4	7	6
Four - - - -	3	2	3	4	2	8	3
Five - - - -	- - -	- - -	2	4	3	1	1
Six - - - -	- - -	- - -	1	1	- - -	2	-
More than Six - - -	2	3	5	4	- - -	5	10
Total - - -	21	68	77	92	89	122	113
Average number of Prisoners in the Penitentiary - - }	64	151	224	273	427	631	745

N. B.

In 1816, an entry of - - 1 quart bottle of Mixture for the kitchen women, is not noticed in the above table.

— 1 - - - D° - - - Mrs. Clarke's D° - - - - D°

In 1817, an entry of - - 2 - - - D° - - - - D° - - - D° - - - - D°

— 1 - - - D° - - - Mrs. Evan's D° - - - - D°

— 2 - - - D° - - - the laundry D° - - - - D°

— 1 - - - D° - - - the carpenters' cell - - - - D°

In 1818, an entry of - - 1 - - - D° - - - Mrs. Croome's women - - - - D°

— 1 - - - D° - - - Mrs. Gould's D° - - - - D°

— 1 - - - D° - - - Laban's men - - - - D°

— 3 - - - D° - - - Brett's men - - - - D°

In 1819, an entry of - - 1 - - - D° - - - Mrs. Clarke's women - - - - D°

General Penitentiary, }
11 March 1824. }

Robt Auld, Secy.

—N° 3.—

REPORT of the Committee of the GENERAL PENITENTIARY, at *Milbank*,
for the reception of Convicts :—Made in pursuance of the 59th Geo. III.
c. 136. § 16.

IT was stated in the last Report of this Committee, made in March 1823, that a very rapid increase of sickness having recently taken place among the prisoners in the Penitentiary, the committee had thought it necessary to call in the assistance of two regular physicians, Dr. Roget and Dr. Latham, in addition to the ordinary medical attendants of the prison; and that these gentlemen were then employed in endeavouring to ascertain the causes of the prevailing disorder, as well as in applying the means of relief.

By the Report of these physicians, dated 5th April 1823, it appeared, that they had found more than one half of the prisoners affected with a disease of a very peculiar nature, from which “the officers and servants of the establishment, together with their families, residing within the walls of the prison, and amounting to 106 individuals, were universally exempt.” It further appeared, that the physicians, “ascribing the production of the disease mainly to the new dietary adopted on the 4th July preceding (although they considered that this diet was not alone productive of the disease, but required the concurrence of other causes, of which the severity of the winter was probably the chief,)” had made material changes in the food of the prisoners, under the general authority given them for that purpose by the committee, in consequence of which and of other measures taken for the cure of the disorder, its violence was much reduced, although the number of those whom it was thought prudent to keep in the infirmary was not diminished.

A Committee of the House of Commons having been appointed during the last session of Parliament to inquire into the state of the Penitentiary, many physicians and surgeons, who had previously visited the prison, were examined in regard to the probable causes of this disorder, and concerning the proper medical treatment of it; upon the former of these points, there did not appear to be any material difference of opinion, but as the medical gentlemen examined upon this occasion were by no means unanimous in their sentiments as to the proper mode of treating the disorder, the Committee of the House of Commons thought it advisable to refer to the College of Physicians for their judgment upon the subject. The college deputed a certain number of their members to visit the prison, and to make such investigations on the spot, as were necessary for the determination of the questions put to them; and the Report, which resulted from these proceedings, entirely confirmed the propriety of the practice pursued by Dr. Roget and Dr. Latham, the physicians employed by this committee.

There being many among the sick, whom the physicians deemed it proper to mention to the committee, as fit objects of pardon, from the consideration of the benefit that might probably result to their health from their immediate restoration to liberty and to their friends, application was made in their behalf to the Secretary of State, and the royal mercy was liberally bestowed upon prisoners of this description; and in the expectation that the prospect of an earlier release from confinement than they could then have in view, might be generally beneficial to the health of the prisoners by raising their spirits, His Majesty was pleased to grant to all prisoners, then confined in the Penitentiary, by an order dated 8th July last, a remission of a part of the term for which they were confined, according to the following scale; viz. to the prisoners originally under order of confinement for five years, a remission of one year; to those in prison for seven years, a remission of one year and a half; and a remission of two years to those whose term of imprisonment was for ten years.

The number of the sick, however, did not diminish as might have been expected, from the readiness with which the disorder *appeared* to yield to the medicines administered; for it was found, that those who had been apparently cured, were subject to relapses, and it not unfrequently happened, that the same individual relapsed many times. In a Report, dated the 4th July 1823, Doctors Roget and Latham,
after

after stating that they had been able to trace back some of the symptoms of this disease to a period much nearer to the time at which the new dietary had been introduced in the preceding year, than when they made their former Report, and after adverting to the fact, that their opinions, attributing the original disorder "mainly to the influence of diet and cold, had been confirmed by that of the other "physicians consulted upon this point," mentioned, "that many prisoners admitted since the diet supposed to be injurious had been changed, and since the weather "had become milder, had become the subjects of dysentery, and several of the "officers of the establishment most employed about the sick, had suffered the same "disease;" and they inferred from these facts, "that some injurious influence had been "in operation over and above the causes to which the epidemic was originally imputed;" and they proceeded in another part of the same Report to observe as follows: "numerous cases in the Penitentiary, to which we have already alluded, have seemed to "us quite inexplicable, except upon the presumption of contagion; the fact may be "otherwise, and authorities, we are aware, preponderate against the contagious "nature of dysentery; nevertheless, we have not thought ourselves justified in neglecting the practical measures which the facts before us appeared to suggest, until "medical opinion is settled upon this point." The belief that this disorder was contagious or infectious, had been generally entertained for some time, by the officers in charge of the prisoners, several of those who had recently been affected with it, having felt a strong conviction that they had caught it from the prisoners under their care, and questions were put by the Committee of the House of Commons to the medical gentlemen examined before them, upon that subject; but these gentlemen had all been inclined to disbelieve the fact of its being of a contagious or infectious character, except Mr. White, the consulting surgeon of the Penitentiary, who said in answer to a question put to him by that Committee, as early as the 28th of May, that he had lately been disposed to think this disorder was infectious.

Under this circumstance, it being obvious that it might be necessary for the sake of cleansing the prison, or of giving the prisoners the benefit of change of air, to remove a part, if not the whole of them, from Milbank, an Act of Parliament was passed at the end of the last Session, authorizing such removal, and constituting any place or places, to which prisoners should be so removed, during their continuance therein, a part or parts of the Penitentiary.

Under the authority of that Act, and by the advice of Drs. Roget and Latham, 120 female prisoners were removed from Milbank, between the end of July and the middle of August, to the building in the Regent's Park lately used as the Ophthalmic Hospital, being as many as could be suitably accommodated there, and 200 male convicts were sent on board the *Ethalion* (a vessel fitted up for their reception) at Woolwich, between the middle and end of August.

Drs. Roget and Latham having expressed themselves, in their report to the committee of the 4th of July, and on other occasions, desirous of having the benefit of other professional assistance, founding that wish, however, on their sense of the heavy responsibility which the care of so great a number of prisoners, in the present state of the disorder, threw upon them, rather than on any doubt existing in their own minds respecting the medical treatment which ought to be pursued; an application was made by the Secretary of State to the College of Physicians, on the 22d of July, the last day of its meeting before the summer vacation, to point out certain persons to assist the gentlemen already employed at the Penitentiary.

The College complied with this request, and the following gentlemen were accordingly added to the medical establishment of the prison, and commenced a daily attendance on the 26th of July; viz. Dr. Hue, Dr. Macmichael, and Dr. Southey; a fourth, Dr. Chalmers, was named, but he declined attending, after one visit, on the ground of other professional engagements.

In the months of September and October, the committee made particular inquiries into the effects of the steps taken for the recovery of the sick, with a view to the adoption of such further measures as might be necessary. It appeared that the health of the male prisoners sent on board the *Ethalion* at Woolwich, had improved very rapidly from the time of their arrival on board; but that the females transferred to the Regent's Park, although their health was in some degree improved by their removal, were benefited in a much less degree than the men sent on board the

ship. At Milbank the disorder, though its severity was mitigated, was still extensively prevalent. The physicians were of opinion, (as appeared by answers given by them at different times to the inquiries of the Committee) that there was such evidence of the disorder's having become contagious, as to make it imperative to act upon the presumption of its being so; that all the prisoners who had suffered the disease for the last twelve months, for whatever period of time they might have been free from its actual symptoms, were to be considered as still under a liability to relapse; that new prisoners could not with safety be taken into the Penitentiary while any of the prisoners remained who were or had been affected with the prevailing disorder; that it would be advisable, with a view to the complete re-establishment of the healthiness of the Penitentiary for the purposes of confinement; that all the prisoners now confined in it should be removed; and that when the prisoners should have been removed, and the Penitentiary should have been properly cleansed and fumigated, and when the severe months of winter should be passed over, if fresh convicts were then placed in the prison, they could assign no reason why the health of its inmates should not be as good as it was in 1821; but that it was essential that the diet of the prisoners should not be less nutritious than it was in that year.

The physicians stated in answer to questions put to them on the 23d October, by the direction of the Secretary of State, that they thought the removal of the remainder of the male convicts from the Penitentiary to another ship, with a view to the recovery of the sick prisoners, would be unquestionably desirable, and that although the period of the year was unfavourable, still they should consider the removal of all the female prisoners then in the Penitentiary, to a ship, if it could be soon effected, as a desirable measure.

In conformity to their opinions, applications were made for two additional vessels to be used as hulks, and very great exertion having been made in the dock-yards to fit them up for the reception of the convicts, all the female prisoners at Milbank, 80 in number, were removed from thence in a steam boat, to the *Narcissus* at Woolwich, on the 14th November, and the remainder of the male convicts were conveyed to the *Dromedary* in the same manner, early in the month of December, in two divisions, 154 on the 8th December, and 127 on the 10th. The females originally sent to the Regent's Park, have also since been removed from thence to Woolwich; for it having been found by the physicians, that those prisoners did not make the same progress towards complete recovery which was observable among those transferred to the ships at Woolwich, another hulk was procured by their advice, viz. the *Heroine*, to which these women, reduced by pardons and discharges from 120 to 91, were removed, on the 21st and 23d of January in the present year. The prisoners, therefore, now under the care of the committee of the Penitentiary, are all at Woolwich, and these consist of 468 males confined on board the *Ethalion* and *Dromedary*, and 167 females in the *Narcissus* and *Heroine*.

The removal of these numerous bodies of convicts to their new places of confinement, was effected without the use of any irons among the male prisoners, and without any disturbance, accident or misadventure of any kind, and with such precautions in regard to the sick, as to prevent any of them from experiencing any material aggravation or increase of their disorder from their transfer, a circumstance reflecting great credit on Captain Chapman, who was appointed governor of the Penitentiary, on the resignation of Mr. Crouch in March last, and of whose unremitting exertions in superintending the fitting up the vessels at Woolwich, as well as of the ability displayed by him in making the various complicated arrangements connected with the formation of these new establishments, it is not possible for the committee to speak otherwise than in terms of the highest commendation.

While the disease still showed itself in frequent relapses at Milbank and in the Regent's Park, its malignity was so much diminished, that the relapsed cases were prevented from terminating fatally, in any instance for some time before the removals took place to the hulks, by the constant care and attention of the physicians, one or more of whom visited the prisoners at each place daily. The male prisoners have continued to improve from the time of their removal, and very few relapses have lately taken place among them; but among the females, particularly among those last sent down from the Regent's Park, an increased number of relapses have lately taken place.

The

The number of deaths at Milbank during the first half of the year, ending with the 30th of June 1823, including deaths from disorders of all kinds, was 16 males and 17 females; between that time and the day on which the last division of prisoners left the Penitentiary, being the 10th of December, only two males and three females died; no prisoners died at the Regent's Park; and two deaths only, both occasioned by causes entirely distinct from the late disorder, have occurred at Woolwich, of which that of one happened previous to 31st December, and the other since. The three physicians named by the college having taken their leave, as being no longer wanted, when the male prisoners were removed from Milbank, the only regular physicians now connected with the establishment are Dr. Roget and Dr. Latham, who visit the prisoners frequently at Woolwich. Mr. Pratt, the surgeon of the Penitentiary, resides on board the *Narcissus*, and takes the charge of the female prisoners confined in that vessel and the *Heroine*, and the prisoners on board of the *Ethalion* and the *Dromedary*, are under the care of Mr. Bayles, a surgeon residing at Woolwich, who has attended the hulks ordinarily stationed there for many years.

The committee made the best arrangement in their power for giving the benefit of divine service and religious instruction to the prisoners removed from Milbank. They engaged the Rev. Mr. Coghlan, a clergyman in the neighbourhood of the Regent's Park, to attend at the hospital regularly every Sunday, and occasionally at other times, and the exertions of this gentleman, added to the frequent visits of Captain Chapman the governor, and the constant presence of a peace officer, which was necessary, to prevent attempts to communicate with the prisoners from the outside of the building, enabled the matron to keep order there among the prisoners, without any means whatever of inflicting punishment for any offences. As long as a part of the prisoners continued at Milbank, the duty of chaplain at Woolwich was performed by the Rev. Mr. Saunders (a clergyman residing there), but since all the convicts have been removed from Milbank, the Rev. Dr. Bennett, the regular chaplain of the Penitentiary, has gone down every Sunday to perform the duty of the day, and has also visited the prisoners at different times during the week. The behaviour of the convicts at Woolwich, during their attendance, on divine service, is stated to have been as orderly as, under the circumstances, could be expected; but the committee fear that the admonitions or instructions of any chaplain, are but of little avail on board these ships, except in the infirmaries. The general conduct and demeanour of the prisoners have been certainly much changed for the worse since they went to Woolwich, although even before their removal from Milbank, the relaxation of discipline occasioned by the bad state of their health, and the indulgence in some degree necessarily arising out of sickness, had produced very injurious effects in the prison.

The management of the male prisoners on board the ships has been attended with a good deal of difficulty. They are necessarily removed, when they are locked down for the night (*i. e.* during the much larger portion of the 24 hours at this season of the year) from the inspection or control of any of their officers, and they are without employment by day. The committee anxiously wished that the male prisoners should be employed, but it appeared impossible to make arrangements for giving them work on board the ships, and it was at least doubtful, whether, if employment could have been found for them in the dockyards, they could lawfully have been sent on shore for that purpose, under the terms of the act which authorizes their confinement in the ships considered as parts of the Penitentiary; employment has been found, however, for some of the females on board of the *Narcissus* and *Heroine*, in needle work. The means of punishment in the vessels in which the males are confined, are very inadequate. The committee of the Penitentiary do not possess the powers exercised in the ordinary hulks, or in other prisons in which convicts are confined, of inflicting corporal punishment, in any case, however aggravated; and prisoners placed apart from the rest for offences committed in these ships, have, in several instances, been able to break out of their confinement.

It was resolved some time ago to fit up a disorderly ward for some of the most turbulent male prisoners, who should be kept there in irons, and in the ordinary prison dress (the clothing used on board the ships being of a plain brown colour), but this expedient has been found very inadequate to the restoration of good order in other parts of the ship. Nine prisoners have made their escape (in three parties of three each) of whom two of the first, one of the second, and two of the third, have been recovered, and are now on board the ships. Most of the inferior officers

have accompanied the prisoners on their removal ; some have been discharged, and one female turnkey, two porters, and a few other male officers, are still at Milbank. The matron continued in the charge of the females sent to the Regent's Park, and accompanied them from thence to the Heroine at Woolwich, on board of which she now resides ; the deputy matron having charge of those confined on board the Narcissus. The Ethalion and the Dromedary were at first placed in the charge of two of the taskmasters, one of whom, Mr. Lodge, a very active and intelligent officer, was unfortunately drowned in going from one of these vessels to another, in a dark night. It appeared, however, about the beginning of December, that the visits of the governor from Milbank, though very frequent, were not sufficient to maintain the authority of these officers, or preserve order in the ships, and that it was quite necessary to have a person with the full authority of governor, resident on board of one of the vessels ; and there appearing to be no power in the committee under the existing Acts of Parliament, either to appoint a second governor, or to authorize any person, not being a governor, to inflict punishment, it was arranged between the committee and Captain Chapman, that he should resign the situation of governor for a time, in order that the office might be exercised by a person who should continually reside on board one of the vessels. The committee accordingly applied to the Secretary of State for a person to fill this situation ; and Mr. Robert Kellock, an officer then in charge of one of the convict ships at Sheerness, was placed at Woolwich as governor on board the Dromedary ; with whose conduct since he has been there, the committee have every reason to be satisfied. In the meantime Captain Chapman was desired to continue to reside in the Penitentiary at Milbank, and to take the superintendence of the various matters that require attention there ; to hasten the fitting up of the Heroine, and to make the necessary arrangements for the transfer thither of the females from the Regent's Park ; to give Mr. Kellock the benefit of his advice at Woolwich, and of his weight and influence with the convicts, which is very considerable, and to carry on the communication between the committee or visitor and the new governor, it being deemed unsafe that Mr. Kellock should be absent from his charge on a known day in every week, for the purpose of attending the meetings of the committee.

When the prisoners were all removed from Milbank, the committee consulted Sir H. Davy, the President of the Royal Society, on the most effectual method of purifying the prison, and exterminating all infectious matter therein. He recommended for that purpose, the use of the gas called chlorine, and as the application of it required great precaution, and could only be safe in the hands of an experienced chemist, Mr. Faraday of the Royal Institution, and a fellow of the Royal Society, was employed to carry into effect all that was necessary, under the advice of Sir H. Davy. It was not deemed requisite to extend this fumigation to the parts of the building occupied by the superior officers and their families, as the inhabitants of those parts, although in the centre of the prison, had been all along exempt from the disease.

It having been thought in the early part of last year, that *more* active labour in the open air than has hitherto been performed by the male prisoners, would be conducive to their health, arrangements have been made by the committee with a view to that object. Two additional corn mills of the same size with the two already in use, have been put up, one in pentagon 5, and the other in pentagon No. 6 ; and such machinery has been added to the two pumps for raising water, in pentagons 1 and 2, as will enable 32 persons to work together instead of sixteen. A considerable increase of laborious exercise will take place in consequence, to all the male prisoners of the first class ; and it is intended, that the male prisoners of the second class, who have hitherto been exempt from this species of labour, should be employed at the mills and pumps every day, though for a shorter period than is allotted for such employment to those of the first class. The regulations upon this subject not having yet received the sanction of the Judges, are not annexed to this Report. In the two pentagons occupied by female prisoners, the court yards have been fresh gravelled, and iron rollers have been placed in them for the purpose of being used under the directions of the medical gentlemen, by such of the female prisoners as would, in their judgment, be benefited by a greater degree of exercise in the open air, than is afforded by the general regulations of the prison.

The moat which surrounds the Penitentiary was also connected with the river Thames by a large iron pipe in the course of the last autumn, in such a manner that
the

the water it contains may be changed every tide, or as often as may be thought necessary.

The committee have not yet reported to the Secretary of State, that the prison is ready for the reception of fresh prisoners, and they would have thought it necessary to advert in this Report, to some particulars connected with this subject, if the present state of the Penitentiary had not been referred to a Committee of this Honourable House, which is now sitting.

The committee subjoin a statement of the expenses of the establishment, as well as of the earnings of the prisoners for the past year to 31st December last. The sickly state of the prison, and the various arrangements which the committee have been called upon to make in consequence, as mentioned in the preceding part of this Report, will show the reason of the very great excess in the expenditure of the present year, over that of any ordinary year, as well as of the diminished value of the work performed by the prisoners.

EARNINGS.

From the 1st January to 31st December 1823.

MALE PRISONERS:		£.	s.	d.	£.	s.	d.
BY the Amount of Earnings for work sent out of the Prison, and for the service of the Establishment	- - - - -	3,082	1	-			
By the Amount of Earnings by Prisoners acting as Wardsmen, Cooks, and Bakers	- - - - -	301	19	6	3,384	-	6
FEMALE PRISONERS:		£.	s.	d.	£.	s.	d.
BY the Amount of Earnings for work sent out of the Prison, and for the service of the Establishment	- - - - -	499	9	-			
By the Amount of Earnings by Prisoners acting as Wardswomen, in the Laundry, Kitchen, &c.	- - - - -	530	11	6	1,030	-	6
TOTAL EARNINGS		-	-	-	4,414	1	-
DIVISION OF EARNINGS:		£.	s.	d.	£.	s.	d.
TO Officers per centage of $\frac{3}{24}$ ths on Manufactory	- - - - -	447	13	9			
To Prisoners - d° - $\frac{3}{24}$ ths - d° - - - - -	- - - - -	447	13	9			
* To d° - - d° - $\frac{6}{24}$ ths as Wardsmen and Wardswomen	- - - - -	208	2	8	1,103	10	2
Remaining $\frac{13}{24}$ ths to the Establishment	- - - - -	-	-	-	3,310	10	10

* Note:—The Prisoners acting as Wardsmen, Cooks and Bakers, or as Wardswomen, in the Laundry, Kitchen, &c. have $\frac{6}{24}$ ths of their Earnings, constituting the two Sums of £.301. 19s. 6d. and £.530. 11s. 6d. mentioned above; the Officers having no per centage, except on the Earnings in manufacture; viz. on the sum of £.3,082. 1s. and £.499. 9s. above-mentioned.

EXPENSE.

	£.	s.	d.
† TO the net Amount of Expenses incurred between the 1st of January and the 31st of December 1823	31,660	5	3
BY PROFIT, $\frac{13}{24}$ ths of Prisoners' Earnings accruing to the Establishment	3,310	10	10
NET EXPENSE	28,349	14	5

† The above Sum does not include the Stores in hand at the end of the year, or the Balance due by the Manufacturing Department.

By Order of the Committee,

General Penitentiary, }
6th March 1824. }

BEXLEY,
Chairman.

—N^o 4.—

LETTER from Mr. ROBERT SMIRKE, to GEORGE HOLFORD, Esq. M. P.
Visitor, General Penitentiary, &c. &c.

Sir,

Stratford-place, March 25th, 1824.

I BEG leave to acquaint you, that, in compliance with the directions of Mr. Peel, I attended Sir Humphrey Davy at the Penitentiary, on the 20th instant, in order to point out to him the manner by which the interior of the buildings were ventilated, and to receive his suggestions for increasing the means of ventilation where it might be necessary. The opinions given by him upon that occasion are stated in the enclosed Memorandum, which has been submitted to him since it was drawn up, and has received his approbation.

The increased ventilation of the cells by means of the air flues, in the manner described by Sir H. Davy, will be easily given.

In order to carry into effect his views in regard to the better ventilation of the courts and garden, it will be necessary to make about four openings in the external wall between the towers, on each side of all the pentagons, each about three feet and a half long, and one foot high; and at the level of the ground from these openings, a shaft or tube must be formed under the floor of the passages and cells, connecting them with others of similar size in the interior walls, so as to allow a free current of air to pass from the garden into the courts; it will be proper also to make, at the same level, three openings in each of the division walls of these courts or airing yards.

The openings required in the boundary wall will also be placed at the level of the ground, making them about three feet and a half long and two feet high, three in each of the short sides of the octagon, and five in the longer sides; in all about thirty-four.

All these openings in the boundary wall, the division walls of the airing yards, and others, would have strong iron gratings fixed in them. The situations proposed for them, as well as the number and size here described, are those approved by Sir H. Davy, at the time of our meeting at the building.

It is difficult to state with accuracy the expense of the works here described, but I cannot safely estimate it at less than £. 2,500. All that is required by Sir H. Davy will, I believe, be then effectually done, except in respect to the greater circulation of fresh air throughout the interior of the third and fourth pentagons, and for this purpose it will not be possible to admit a greater quantity of air in the winter season, unless more powerful means are adopted for warming it than can be done by the steam-heating apparatus now used for those buildings. If the increased circulation of air should be thought indispensable for them, it will be necessary to introduce hot air stoves like those used in the fifth and sixth pentagons, the expense of which, including that of fixing them, would be about £. 1,000.

I have the honour to be, Sir,

Your obedient and faithful Servant,

(signed) Rob^t Smirke.

George Holford, Esq. Visitor, &c. &c.

MEMORANDUM referred to in the preceding Letter.

It is recommended by Sir Humphrey Davy, that for the better ventilation of the cells in the *first* and *second* pentagons, a very small opening should be made through one of the walls in each cell, in a direction slanting upwards from the top of the cell, the openings to be either in the external wall next the airing yards, or in the wall next the passages. In the *four* pentagons, where air flues are already provided, he recommends that the opening from each cell into those air flues should be raised about eighteen inches, making it at the top of the cell, and close to the ceiling. He recommends also, that as free a supply of air, from the exterior of the building, should

should be conveyed into the passages and cells of the third and fourth pentagons, as now passes into the fifth and sixth, where Sylvester's warm air stoves are used.

For the more effectual ventilation of the airing yards of the pentagons, Sir H. Davy recommends that several openings should be made under the floor of the building, on each side of every pentagon, giving a free current of air from the outside of the building next the garden, into the airing yards, and that openings should be made for the same purpose, in the lower part of each division wall of the yards. He recommends also, that a number of openings should be made at regular intervals, in the lower part of the boundary wall, which surrounds the garden and buildings.

(Signed) *Robt Smirke.*

March 20th, 1824.

The Number of Persons in the following Lists are given, instead of the Names.

—N° 5.—

he Total Number of Male and Female Prisoners, received into the Penitentiary since the 16th of February 1823.

	N° received into the Penitentiary.	Of whom	
		Have had the Disease.	Have not had the Disease.
Males - - - -	127	98	29*
Females - - - -	5	5	—
Total - -	132	103	29

Note.—* In the column of those stated as “not having had the disease,” there are several, who say they have had it; but as they do not appear to have been in any of the infirmaries, they are not included in the column of those who “have had the disease.”

List of inferior Officers, in the General Penitentiary, who have been affected by the prevailing Disorder at Milbank, as far as that fact can be ascertained.

Male Officers - - - -	12
Female Officers - - - -	6
Total - -	18

General Penitentiary, }
11th March 1824. }

Robt Auld.

—N° 6.—

The Number of Officers, with their Families and Servants, residing in the Hexagon part of the Building, before any of the Convicts were removed, was, upon an average, - - - Forty.

The Number of Superior Officers, their Families and Servants, and of Inferior Officers residing within the Penitentiary, during the winter of 1823—24 :

The number of Persons residing in the Hexagon, has been - 32

Being diminished by the removal of Mr. Pratt and his family to the Hospital Ship at Woolwich, and of the Porter from the female part of the prison, with his family, being 8 in number.

The number of inferior Officers, with the wife of one residing in the other parts of the prison, is - - - - - 7

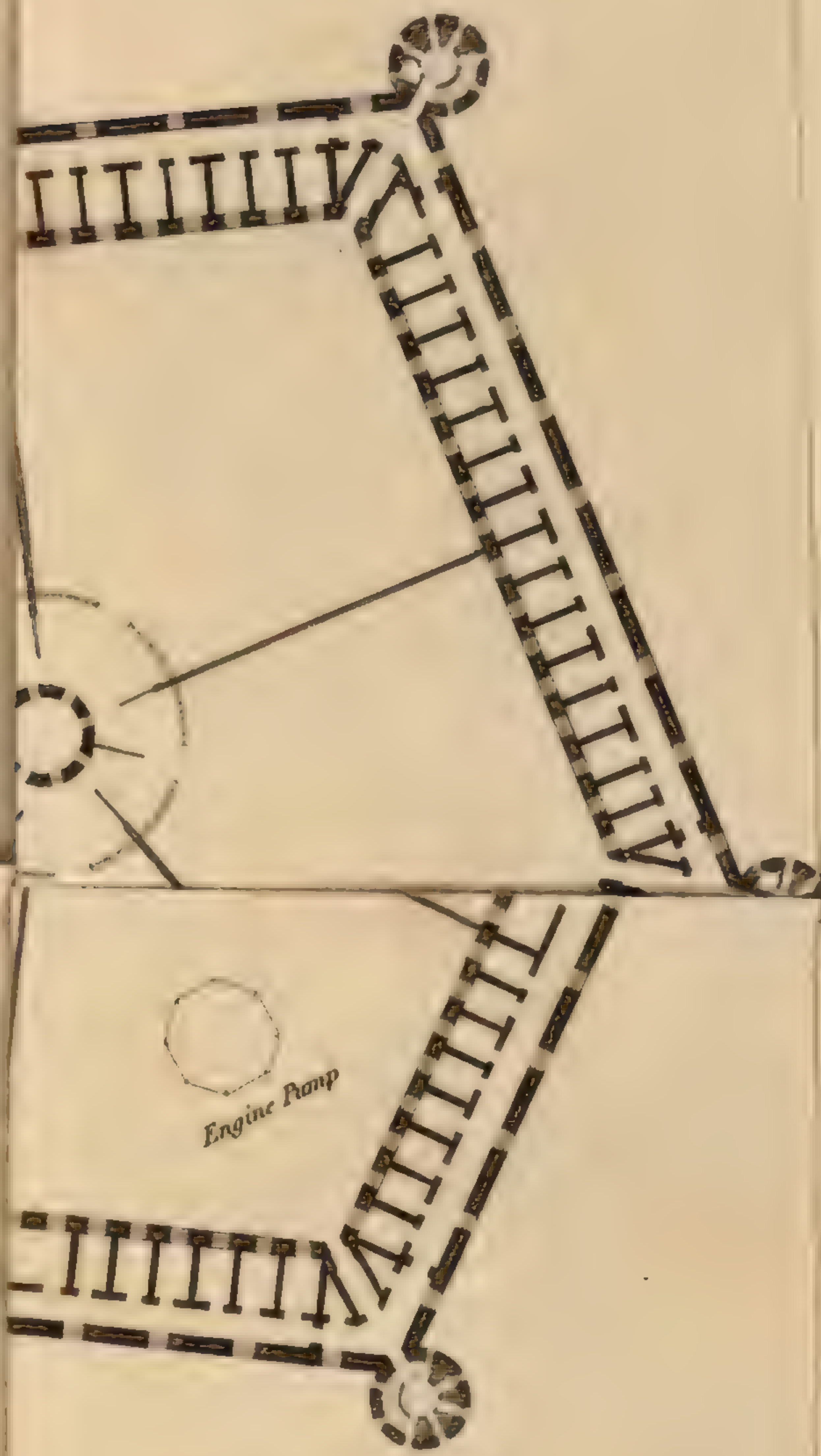
Average - - - 39

General Penitentiary, }
11th March 1824. }

Robt Auld.

LLBANK, - 1824.

UILDINGS.



TREAD WHEELS.

COPIES

Of all Communications made to, or received by the
Secretary of State for the Home Department,
respecting the use of TREAD WHEELS, in Gaols or
Houses of Correction.

Ordered, by The House of Commons, to be Printed,
10 March 1823.

COPY OF A LETTER, addressed, by Mr. Secretary PEEL's directions,
to the Visiting Magistrates of the several Gaols and Houses of Cor-
rection, where Tread Wheels have been established; dated Whitehall,
January 18th, 1823.

GENTLEMEN,

I AM directed, by Mr. Secretary Peel, to request, that you will inform
him, how long the Tread Wheel, which he understands to be in
Prison, has been in operation; and whether you have found any injurious effects
produced by it, on the bodies or legs of the Prisoners, who have worked
thereat.

I have, &c.

(signed) H. HOBHOUSE.

Communications have been received from,

- | | |
|-----------------------|-----------------------|
| (1.)—Berkshire. | (12.)—Leicestershire. |
| (2.)—Bedfordshire. | (13.)—Middlesex. |
| (3.)—Buckinghamshire. | (14.)—Norfolk. |
| (4.)—Cambridgeshire. | (15.)—Pembrokeshire. |
| (5.)—Devonshire. | (16.)—Suffolk. |
| (6.)—Dorsetshire. | (17.)—Surrey. |
| (7.)—Durham. | (18.)—Sussex. |
| (8.)—Essex. | (19.)—Yorkshire. |
| (9.)—Gloucestershire. | |
| (10.)—Hertfordshire. | (20.)—Edinburgh. |
| (11.)—Lancashire. | |

COPIES OF ALL COMMUNICATIONS

Made to, or received by the Secretary of State for the Home Department,
respecting the use of TREAD WHEELS, in Gaols or Houses of Correction.

(1.)—BERKSHIRE.

Sir,

Reading, January 25th, 1823.

WE beg leave to acknowledge the receipt of your letter, and to state for the information of Mr Secretary Peel, that the Tread Mill in the house of correction at Reading, has been in constant use from the 25th of November last, to the present time, employing on an average about thirty-five or forty prisoners per day, and that hitherto we have not discovered that any injurious effects whatever have been produced upon the bodies or legs of the prisoners by that species of labour.

We have the honour to be, &c. &c. &c.

*Robt Palmer,
H. E. St. John,*

H. Hobhouse, Esq.

Visiting Magistrates at Reading.

Sir,

Holme Park, Reading, Feb. 19th, 1823.

I BEG leave to enclose the opinion of the medical gentlemen in attendance at the gaol, relative to the health of prisoners employed at the Tread Mill, which I trust will prove satisfactory.

I have the honour to be, &c.

Robt Palmer, Visiting Magistrate.

Dear Sir,

IN reply to your letter directed to Mr. Workman, I beg leave to inform you that it is his opinion as well as my own, that no injurious effects have been produced on the bodies or limbs of the prisoners employed in the Tread Mill, since the commencement of its operation.

I remain, &c.

John Bulley, surgeon to the gaol.

Sir,

Reading, February 18th, 1823.

I SHOULD have answered your letter of yesterday had I not waited for Mr. Bulley's opinion respecting the men employed in the Tread Mill: I have been in attendance almost daily at the gaol, and have never heard any of the men complain of the labour; in short, I think they were never in a more healthy state than they are at the present time.

I beg leave to apologize for not answering your letter earlier, and remain, &c.

Maurice Workman.

Sir,

Holme Park, Reading, March 6th, 1823.

HAVING had the honour of transmitting to you a very satisfactory account of the health of the prisoners employed at the Tread Mill in Reading gaol, and the surgeon's certificate to that effect, I am sorry now to have to communicate that on the very next day after I had made the above report, an accident occurred to one of the prisoners

prisoners while at work upon the wheel. I have thought it right to obtain the surgeon's certificate relative to this case, and to transmit it to you, in order to check any incorrect statement that might be made of the circumstance.

This is certainly the first accident that has occurred in the gaol at Reading since the Tread Mill has been established.

I have, &c.

Robt. Palmer, Visiting Magistrate.

Reading, March 5th, 1823.

THIS is to certify, that William Strange is afflicted with a rupture, which took place whilst working on the Tread Mill by a violent fit of coughing, and in all probability would have happened independent of the exertion on the Mill.

John Bulley, surgeon to the gaol.

(2.)—BEDFORDSHIRE.

Sir,

Bedford, January 23, 1823.

A DISCIPLINE Mill with Tread Wheels, was added to the new house of correction for this county in the year 1821; the prisoners were set to work at it early in the month of January 1822; the average number of prisoners thus employed has been about thirty, (*i. e.* from 24 to 36); two hundred and twelve prisoners have undergone this discipline for the whole terms of their respective sentences, varying from two weeks to twelve months; during the whole of that period I have regularly visited the prison, and other visiting justices have also regularly visited it. We have examined the effect of this mode of discipline with scrupulous attention, and I am convinced, that no injurious result has arisen from it either to the general health or to the body, or to the limbs of any prisoner who has been thus employed in the said new house of correction.

I beg leave to add, that the justices of this county are so thoroughly convinced of the superiority of this species of labour for prison discipline, that they have ordered a similar mill with Tread Wheels to be erected, and worked at the old house of correction for this county, in addition to the mill now there, which is worked by crank machinery.

I take the liberty of adding a minute, which was entered in the journal of the visiting justices, on Tuesday the 14th of this month, which I hope will exonerate me from the imputation of presumption, in thus sending my individual answer to an official letter addressed to the visiting magistrates generally. But as the Rev. Dr. Moore, my colleague, resides at no great distance from Bedford, I shall send this letter to him for his perusal; and if he should entirely concur with me as to the correctness of my statement, and if he should feel that his convictions coincide with those which I have here expressed, he will add his signature, so as to make this our joint answer.

I have the honour to be, &c. &c. &c.

Philip Hunt,

One of the Visiting Magistrates of the gaol and houses of correction in and for the county of Bedford.

Robert Moore,

A Visiting Magistrate also of the gaol and houses of correction in and for the said county.

New House of Correction, Bedfordshire, Tuesday, January 14, 1823.

AT a weekly meeting of the Visiting Justices;

Present,

The Rev. Dr. *Hunt*, in the chair; the Rev. Dr. *Moore*, visiting justices.

Present also, the Rev. Mr. *Webster*, J. P. for Bedfordshire.

Thomas Lovesy a convict, was brought into the committee-room. He has been imprisoned and regularly kept to hard labour on the Tread Wheel for twelve months,
(except

(except during the few days when it has been his duty to assist in the infirmary, or to keep in order the ward in which the prisoners of his class are confined).

The said convict, whose term of imprisonment will expire, and whose discharge will take place to-morrow, says, "that he has enjoyed perfect health during the whole of the period of his year's hard labour at the Tread Mill: that he has never felt any pain in the loins or shoulders, or in the tendons near the heel; that he has experienced no numbness of hands or arms; that he has never heard any complaint from his fellow convicts, except, that when some of them first began to labour on the Wheel in their high shoes, the stepping galled their ancles; but that after they put on proper shoes, no inconvenience was experienced by them."

This statement was made in presence of Mr. Millington (the county surveyor) and of Mr. Tregenza, the governor of the new house of correction. And Mr. Tregenza remarked, that he is sure every convict in the prison, if he were to speak the truth, would give the same report of the effects of the Tread Wheel as Thomas Lovesy had just done.

The undersigned visiting magistrates also add their testimony in favour of the Tread Wheel, as the best means of keeping convicts employed in hard labour.

(signed) *Philip Hunt,* } Visiting Justices.
Robert Moore, }
James Webster, J.P. for Bedfordshire.

Mr. Tregenza, the governor, is authorized and permitted to give such a report of the effects produced by the Tread Wheel discipline, to any official inquiries that may be addressed to him, as he may feel that he can give, consistently with his own conscientious convictions, his observation and experience.

(signed) *Philip Hunt.*

Bedford, January 23, 1823.

AS far as my experience enables me to form an opinion, the labour of the Tread Mill tends rather to preserve the prisoners in health than in any way to injure them.

(signed) *J. H. Bowers,*
 Chaplain to the gaol and house of correction
 for the county of Bedford.

I AM of opinion, that the labour of the Tread Wheel has not the least tendency to injure the health of the persons employed upon it; and as far as my experience has gone, that it is not at all likely to induce any of those diseases which have been attributed to its use.

(signed) *C. Short, surgeon.*

County of Bedford to wit.

January 23, 1823.

THE labour of the Tread Mill is, in my opinion, quite sufficient for constant employment; but not severe, or in any way injurious to the health of the prisoners.

(signed) *John Tregenza,*
 Governor of the new house of correction.

Sir,

Bedford, January 23, 1823.

AS soon as our Tread Mill was completed, I visited the new house of correction, at Brixton, and ascertained the mode of setting the prisoners to work, together with the intervals or pauses allowed, and such other details as might prevent any prejudices arising from an injudicious application of this new species of labour; and I am happy to say, that only one cause of complaint, connected with the machinery, presented itself to me, which was immediately and effectually removed.

The hand-rail which had been fixed in a line nearly vertical over the head of the prisoner at work, caused a pain in the loins, but by throwing the rail forward, so as to give the body of each man at work the position of rather leaning forward, all undue pressure on the loins was avoided, and the labour became unoppressive.

I also venture to add, that if this circumstance were attended to in other Tread Mills, and if the intervals between each step were limited to *seven* or *eight inches*, no injury to the body or limbs would be likely to arise. I mention this last circumstance because I have been informed that there are Tread Wheels in which the intervals between the wheels are upwards of *two feet and a half*, and where the number of steps in a minute exceed the rate observed in our comparatively easy machinery.

H. Hobhouse, Esq.

I have, &c.

(signed) P. Hunt.

(3.)—BUCKINGHAMSHIRE.

Sir,

Aylesbury, 25th January 1823.

IN answer to your letter of the 22d instant, requesting a communication from us respecting the Tread Mill in this gaol, for the information of Mr. Secretary Peel, we have the honour to acquaint you, that the Mill has been in operation from January 1819, and that the labour has been invariably attended with salutary effects; nor has any instance of injury to the bodies or legs of the men arisen from their employment in it.

On reference to the reports, we find that the health of the prisoners has never been so good as since the introduction of this kind of labour.

We have the honour to be, &c.

(signed) John Dashwood King.

C. R. Ashfield.

Justices, Visitors of the gaol and house of correction at Aylesbury.

H. Hobhouse, Esq.

Aylesbury, February 22d, 1823.

I do hereby certify, that the prisoners in the gaol at Aylesbury, in the county of Buckingham, are in general healthy and free from any epidemical disease, which I attribute to the employment on the Tread Mill, affording much exercise and conducive to their general health, without any inconvenience to the bodies or limbs of the prisoners.

(signed) William Hayward, surgeon.

(4.)—CAMBRIDGESHIRE.

Sir,

Cambridge, 28th January 1823.

IN reply to the letter addressed to me, at your desire, by Mr. Hobhouse, requesting to be informed how long the Tread Wheel has been in operation in the town gaol of Cambridge, and whether any injurious effects have been found by it, I have the honour to acquaint you that the Tread Wheel has been in use at the town gaol from the 2d day of October last, without producing any injurious effects on the bodies or legs of the prisoners, but has, on the contrary, had the most beneficial effect on the health of the prisoners who work thereat.

I have, &c.

(signed)

John Ingle, mayor.

Mr. Secretary Peel,
&c. &c. &c.

Sir,

Cambridge, February 17th 1823.

I AM of opinion that the healths of the prisoners have been materially improved by their working at the Tread Mill.

I have never seen one case where the limbs or the bodily health have been affected.

I am, &c.

(signed) A. S. Abbott, surgeon.

Sir, Cambridge, February 6th, 1823.

IN answer to the inquiries of Mr. Secretary Peel, we beg leave to inform him, that the Tread Mill in the county house of correction at Cambridge, has been in full operation for one whole year, from the 10th of January last, without interruption.

We have not found any injurious effects produced upon the bodies or legs of the prisoners by the labour, and the surgeon is of opinion that so far from being hurtful it is beneficial to the general health of the prisoners. There are several men who have been at work in the Wheel from the commencement (about 56 weeks) they are now in good health, and as active as when they first came.

We are, &c.

H. Hobhouse, Esq.
&c. &c. &c.

(signed)

James Hicks,

Alex. Cotton,

Francis Pym, junr.

Wm. Leworthy,

} Visiting
Magistrates.

(5.)—DEVONSHIRE.

Sir, Exeter, 20th January 1823.

IN answer to your letter of the 18th January instant, directed to the visiting magistrates of the house of correction for the county of Devon, and given to me whilst attending the quarter sessions, I return, enclosed, the report of the governor of the house of correction, from which you will find that no mischief whatever has attended the use of the Tread Mill from the time of its erection, and I have never heard a complaint of any danger apprehended; to be more fully satisfied of the probability of future evil, I have this day measured the rising of the step on the Wheel, which I find to be precisely seven inches and a quarter only. The rail which those on the Wheel hold by, is placed about four feet above the level of the step they stand on, so that the workers can, and occasionally do rest the elbow on it, as suits their pleasure, when a change of position is desirable, and which is done with the greatest facility; one foot always rests flat upon the step till the other reaches the next ascent, and the slightest hold on the rail perfectly secures them from falling; this I ascertained by actual experiment in the Wheel. The governor mentioned to me the fact of a young woman who used to go on with her knitting while she was at work on the Wheel.

I made many inquiries of those on the Wheel as to the sensations and effects produced by this continued labour; I learned only that the muscles of the legs sometimes ached, and that work on the Wheel in warm weather would produce a great perspiration. I heard no complaint whatever or objection from the females that had been stationed on the Wheel, or from the governor's wife who superintends this department; from all which I am well satisfied, that no danger is ever likely to arise in the case of male convicts, nor in the case of females when they are properly attended to, and that happier means of labour, in regard to the health and general welfare of the convicts employed, have never yet been suggested.

I am, &c. &c.

Wm. Tucker.

Sir, Exeter, February 14th, 1823.

IN reply to your letter with which I have been honoured, I beg leave to state, that not any case has occurred in the Devon house of correction, from the Tread Mill discipline, either to the bodies or legs of the prisoners: I do not conceive any injury to the latter can arise, except from wilful negligence of the individual. I am of opinion, which has been confirmed by inquiry, that after a few days work on the Tread Mill, the muscles of the legs, thighs, and back, becoming habituated to it, the employment on the Mill ceases to be a punishment; what effect on health the Mill may produce in the summer season, I cannot now pretend to judge, but I do not anticipate any, as exposure to the air and regular exercise, are the best preservatives of health. The diseases generally existing at different seasons of the year in the house of correction, are fewer (most frequently created there and kept up, from
over

—N° 6.—

The Number of Officers, with their Families and Servants, residing in the Hexagon part of the Building, before any of the Convicts were removed, was, upon an average, - - - Forty.

The Number of Superior Officers, their Families and Servants, and of Inferior Officers residing within the Penitentiary, during the winter of 1823—24 :

The number of Persons residing in the Hexagon, has been - 32

Being diminished by the removal of Mr. Pratt and his family to the Hospital Ship at Woolwich, and of the Porter from the female part of the prison, with his family, being 8 in number.

The number of inferior Officers, with the wife of one residing in the other parts of the prison, is - - - - - 7

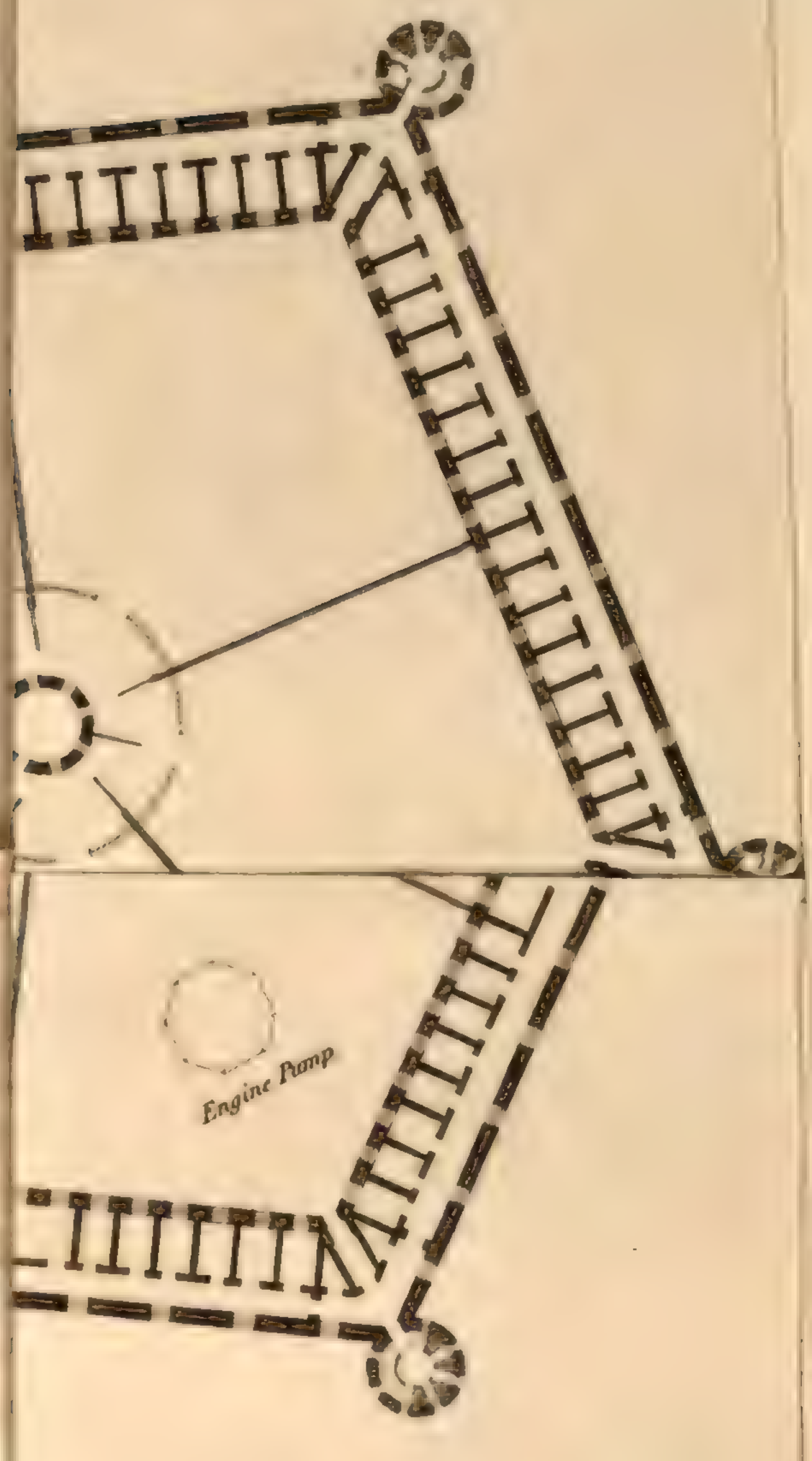
Average - - - 39

General Penitentiary, }
11th March 1824. }

Robt Auld.

LLBANK,—1824.

UILDINGS.



over crowded and ill-ventilated cells) debility for want of food before admission, venereal complaints and itch.

I remain, &c. &c.

Samuel Luscombe, surgeon.

To the Chairman of the Devon Epiphany Quarter Sessions,
20th January 1823.

Sir,

Devon County Bridewell.

IN answer to the inquiries given me this morning as to the injurious effects, if any, and of what kind, produced on the bodies or legs of the prisoners who have worked on the Tread Wheel, erected in the house of correction of this county, of which I have the government, I have to certify to the court, that the Tread Mill has been in full operation ever since the last Midsummer sessions, and on an average from seventy-five to eighty prisoners have been daily employed on the Wheels, the proportion of females being very small, not amounting to more than ten or twelve at any time, and generally not exceeding six or eight. The male prisoners, when at work, are three-fourths on the Wheels, and one fourth at rest; the females, one half on the Wheel, and the other half at rest, and during the six months the Mill has been at work, I have never heard of one prisoner, male or female, receiving any injury either in their limbs or general health, and as far as I am capable of forming a judgment, I consider the labour at the Tread Mill not as injurious, but conducive to the health of the prisoners.

I am, &c. &c.

William Cole, governor.

(6.)—DORSETSHIRE.

Sir,

Kingston, February 9th, 1823.

I HAVE the honour, on the part of the visiting magistrates of the gaol and house of correction, at Dorchester, to report to you, in answer to your letter of the 7th instant, that the Tread Mill has been in operation, as to the male prisoners, since the 12th of January 1822, and that no injurious effects have been produced by it, on the bodies or legs of the male prisoners who have worked at it.

They further report with regard to the female prisoners who have been so employed about five months, that they have occasionally been subjected to *certain complaints* which the surgeon of the gaol has attributed to the working at the Wheel, and that in such cases the women so affected, have been taken from the work till those complaints have subsided.

I have, &c.

(signed)

W. M. Pitt.

Sir,

Castle, Dorchester, 26th December 1822.

I HAVE the honour to inform you, in answer to your letter of the 24th December, that no ill effects have been produced on the muscles of the legs of those prisoners who have been employed on the new principle Mill now in use.

I have, &c.

(signed)

R. W. Andrews.

Gentlemen,

Dorchester, Dorset, February 17th, 1823.

I HAVE the honour to report, in answer to your inquiry respecting the effects of the Tread Mill upon the persons of the prisoners confined in the Dorchester gaol, that I have not observed any injurious effects whatever, either on the bodies or limbs of the male prisoners who have been so employed, but that a few of the female prisoners have been subjected to certain complaints incidental to women, rather more than usual, in my opinion the consequence of the exertion and exposure to cold.

I have, &c.

(signed)

John Birt Davies, surgeon,

Acting for Christ. Arden, surgeon to the Dorset county gaol.

The Visiting Magistrates
of the county gaol, Dorchester.

(7.)—DURHAM.

Sir, Durham Gaol, 31st January 1823.

IN answer to your letter of the 22d instant, we beg to observe, the Tread Mill has been in operation at this prison from the month of April last, and its effects have not only been found salutary in the way of correction, but unattended with any inconvenience or injurious consequences to the persons employed in working it. The prison has been regularly visited, and no complaint has ever been made either to the visiting magistrates or governor of the gaol, that this employment at the Wheel has occasioned any cramp or contraction in the limbs. It may be also proper to notice, that we have not thought it advisable to employ females in working the Tread Wheel.

We have the honour to be, &c. &c. &c.

The Right Honourable
the Secretary of State, H. D.

*Edward Davison,
Thomas Hopper,
W. N. Darnell.*

February 24, 1823.

HAVING regularly attended the prisoners employed on the Tread Mill attached to this prison, since its commencement in April last, during which period it has been in constant operation.

I am confident, that not any of the prisoners have sustained the slightest injury either in their limbs or bodies from its employment; and I am of opinion, if persevered in with prudence, and not too long continued, no serious effects are to be apprehended from its use.

William Green,

Surgeon, &c. to the gaol and house of correction, Durham.

(8.)—ESSEX.

Sir, Chelmsford, February 5th, 1823.

WE beg leave to state, in reply to a letter addressed to us by Mr. Hobhouse, dated the 18th ult. for your information, that the Tread Wheel erected in the house of correction in this town, has been in operation since the first of October last; and that (after inquiry made of the medical attendant and the governor) we do not find that, hitherto, any injurious effects have been produced by the use of it upon the bodies or legs of the prisoners employed upon it.

The medical attendant states to us that he knows of no instances of injury; but that he considers the labour on the Wheel has been found to be generally salutary to the health of the prisoners.

We have, &c.

(signed)	<i>T. G. Bramston,</i>	<i>J. R. S. Phillips,</i>
	<i>John J. Strutt,</i>	<i>B. H. Bridges,</i>
	<i>John Disney,</i>	<i>C. T. Tower.</i>
	<i>J. M^c Lachlan,</i>	

(9.)—GLOUCESTERSHIRE.

Sir, Gloucester County Prison, January 27th, 1823.

IN reply to the queries contained in your letter of the 22d instant, I have to inform you, that the Tread Wheel erected in the Gloucester penitentiary, has been in operation for three weeks; and I have the authority of the surgeon of the prison for stating, that no injurious effects whatever have hitherto been produced on the bodies or legs of the prisoners, who have been employed in working it.

I have the honour to be, &c. &c. &c.

S. Commelin,
Visiting Magistrate of the county prison.

Sir, Horsley House of Correction, January 1823.

IN reply to your letter of the 22d of this month, the grinding mill worked by a Tread Wheel erected at this house of correction, was completed on the 17th of last month.

It has been in full operation for the last twenty days.

Eighteen male prisoners are employed to work it, twelve on and six off the Wheel, from eight A.M. to half past six P.M. one hour and a half being allowed them for meals out of that time. Each prisoner in succession is twenty-four minutes at work, and twelve minutes at rest.

We have not found, nor from the experience we have had, do we anticipate any injurious effects on the bodies or legs of the men employed; nor has a single complaint been made against this description of hard labour by any of the prisoners.

We have the honour to be, &c.

Henry Hobhouse, Esq.
one of His Majesty's Under Secretaries of State,
&c. &c. &c.

*P. B. Purnell,
Peter Hawker.*

(10.)—HERTFORDSHIRE.

Sir, Hertford, Jan. 26th.

I HAVE the honour to transmit the certificate respecting the Tread Wheel in the house of correction at Hertford, signed by five of the visiting magistrates, all that are at present in the neighbourhood, except Mr. Daniell, who is at this time the high sheriff for the county, and who therefore during that time does not act.

I have the honour, &c.

Thomas Lloyd.

Sir,

WE, the undersigned, visiting magistrates of the gaol and house of correction at Hertford, certify, for the information of Mr. Secretary Peel, that the Tread Wheel has been in operation daily, (Sundays excepted,) from the 1st August 1820, to the present time, and that no injurious effects whatever have been produced by it either on the bodies or legs of the prisoners who have worked thereat.

*H. Ridley, D.D. Thomas Lloyd, Clerk.
W. Baker. William Dent.
Culling Smith.*

I, THE undersigned surgeon and apothecary to the gaol and house of correction in the county of Hertford, do hereby certify, that from the 1st of August 1820, the day on which the Tread Wheel was put into operation, not a single prisoner has ever suffered, either in his body, limbs, or general health, in working it.

Thomas Colbeck, surgeon, &c.

(11.)—LANCASHIRE.

Sir, Lancaster, 28th January 1823.

IN answer to your inquiry respecting the Tread Mill system of labour, we beg leave to inform you, that the Mill has been used since the 25th day of October last, for the purpose of pumping a supply of water for the use of the prison. We cannot find that any injurious effects have been produced on the bodies or legs of the prisoners, except in the case of James Timperley, who has had a degree of inflammation in his groin, which the surgeon believes to have arisen from the unsound state of his body, he having recently had the venereal disease. The rest of the prisoners thus employed, nine in number, appear healthy, and make no complaint.

We have the honour to be, &c.

H. Hobhouse, Esq.
Under Secretary of State, &c.

(signed) *Edmund Hornby, V. J. P.
Richard Atkinson, V. J. P.*

TREAD WHEELS, IN GAOLS OR HOUSES OF CORRECTION. 11

Gentlemen, Lancaster, 19th February 1823.

IN reply to your inquiry, as to the effect of the Tread Mill system of labour on the health of the prisoners so employed, I have to observe, that where the men are free from rupture or disease in the groin, either from syphilis or scrophula, no ill effects have ensued, either on their bodies or limbs, nor do I apprehend any injurious consequences are likely to arise from it; for on examining those men who have worked longest at the Wheel, I have found them in perfect health, and, notwithstanding their expression of dislike to the work, have admitted that they have gained weight since they have been so employed.

The Visiting Magistrates
of Lancaster castle.

I have the honour to be, &c.
(signed) John Smith.

(12.)—LEICESTERSHIRE.

Questions for inquiry, as to the prisoners suffering any ill effects from working in the Wheel at the House of Correction for the county of Leicester.

1. The time the Mill has been at work?—About three years and a half.
2. The average number of men employed in it for any given time?—Not more than 50, or less than 20.
3. Whether any disorder in the legs has been attributable to this mode of employing prisoners?—The governor never knew of any (the least) ill effects to be produced on the legs of the prisoners employed by working at the Wheel.

The surgeon confirms the above statement.

W. R. Tyson, } Visiting Justices.
J. King, }

(13.)—MIDDLESEX.

Sir, Sessions House, Clerkenwell, 3d February 1823.

I AM directed by the visiting justices of the county of Middlesex, in answer to your letter of the 18th ult. to inform you that the Tread Wheel in the Cold Bath Fields prison has been in operation about seven months, and has not produced any injurious effects on the bodies or legs of the prisoners who have worked thereat.

I have honour to be, &c. &c.

H. Hobhouse, Esq.
&c. &c.

Thomas Stirling,

Cold Bath Square, 24th February 1823.

DURING the eight months the Tread Mill has been employed at the house of correction, Cold Bath Fields, I have never in any one instance known any ill effects produced on the frame of either the men or women who have worked on the Wheel, nor can I tell whether any are likely to follow upon this kind of discipline.

(signed) Thomas Webbe, surgeon.

(14.)—NORFOLK.

Sir, Swaffham, 25th January 1823.

BEING one of the visiting magistrates of the Swaffham bridewell, and resident upon the spot, and having shown your letter of the 18th instant to such of the other visiting magistrates as I have seen, I send you the following answer to it, with their concurrence.

The Tread Wheel has been in use here about four months, and during that time no injurious effects whatever have been experienced to the health of the prisoners; indeed,

indeed, we finished our report to the sessions last week, with observing that, "though there had been in general a large number of prisoners, they have been very healthy; which may, perhaps, in some measure be owing to the regular exercise on the Tread Wheel." We have had about 70 prisoners during that time.

I have also seen the medical attendant on the bridewell, and his opinion likewise is that the exercise of the Tread Wheel is very salutary.

I am, &c.

H. Hobhouse, Esq.

(signed) *Wm. Yonge.*

(15.)—PEMBROKESHIRE.

Sir,

Haverfordwest, 24th January 1823.

IN reply to a letter, of the date of January 22, in regard to the operation of the Tread Wheel erected in our county gaol, we have the honour to inform you, for the information of Mr. Secretary Peel, that the Tread Mill has been in full employ since the 2d day of July 1821, and that no injurious effects whatever have been produced either on the bodies or legs of the prisoners worked thereat.

We have the honour to be, &c. &c.

Thos. Martin,

G. Harris,

H. D. Jones, M.D.

Visiting Magistrates of the county gaol and house of correction for the county of Pembroke.

HAVING been applied to by the visiting magistrates of the gaol of the county of Pembroke and town and county of Haverfordwest, for my opinion, as to the effects produced upon the bodies and limbs of the prisoners employed on the Tread Wheel, since its being in operation;—

I do hereby certify, that from a careful attention to the prisoners employed, I can safely declare, that I have not seen a single instance of any bad effects produced by the Tread Wheel on the bodies or limbs of any one of them.

Dated at Haverford West, this 22d day of February 1823.

William Harris, surgeon.

(16.)—SUFFOLK.

Sir,

Bury St. Edmunds, 9th February 1823.

I HAVE the honour to inform you, that the Mill in question, the first of the kind ever erected, has been in use since November 1819; that the average number in constant work since that time, may be reckoned at fifty; the number at present, and for some considerable time past, is eighty-four, which it was originally calculated to employ.

I have further to state, that having been a visiting magistrate for many years, long prior to the erection of the Mill, and residing but a short distance from the gaol, I have watched, with much care, the operation and effect of the Mill, and I consider it to answer the intended purpose most perfectly; and I have not myself the least reason to believe, nor have I ever heard from the governor or the surgeon of the gaol, or from any other person, that the working on the Tread Mill impaired, in the smallest degree, the health or physical powers of the prisoners so employed, or that they sustained the least injury, either in their bodies or legs.

I sent to the surgeon of the gaol for his report on the subject, which I have enclosed.

I have the honour to be, &c.

J. Benjafield,

Visiting Magistrate.

Sir,

February 9th, 1823.

IN answer to your note, I beg leave to inform you, that I have constantly attended the gaol as surgeon; and since the erection of the Tread Mill, which is now upwards of three years, I have never met with a single instance of injury arising from that mode of employment; and I am further of opinion, that *no rupture*, or indeed any injury whatever, is likely to be produced, as the body of the prisoner is kept in an upright position, and the equilibrium preserved by a hand rail.

To J. Benjafield, Esq.

I am, &c. &c.

George Hubbard.

Sir,

Shire Hall, Ipswich, February 15th, 1823.

THE Tread Mill in the county gaol of this place has been worked rather more than a twelve month, during which period no instances have occurred in which such work has been found productive of any injurious effects to the bodies or legs of the prisoners employed upon it. The surgeon has been strictly examined by the magistrates as to his opinion upon the subject, and he decidedly pronounces, that it is by no means detrimental to their health.

I have, &c. &c.

Chas Berners.

To the Visiting Magistrates of the Gaol and House of Correction, at Ipswich,
in the County of Suffolk, February 15th, 1823.

HAVING received your commands for a certificate of the effects produced by the Tread Mill on the body and limbs of the prisoners working on the said Wheel now in use in the house of correction;—

I hereby certify, that during the fifteen months the Tread Mill has been employed in the above prison, I have never witnessed a solitary instance of its injurious effects; on the contrary, by a just application, as directed by myself and gaoler, I have invariably found the employment on the Wheel to be beneficial, inasmuch as it has appeared to me that the health of the prisoners has been materially increased by it.

George Stebbing,

Surgeon to the county gaol and house of correction
at Ipswich, in Suffolk.

(17.)—SURREY.

Sir,

House of Correction, Guildford, January 9th, 1823.

AS chairman of the committee of visiting magistrates, I think I cannot better reply to your inquiry, than by copying an extract from the report of that committee to the Epiphany sessions, and by enclosing a letter from Mr. Jackson, the surgeon, in answer to my letter enclosing them a copy of Mr. Peel's request. The Wheel has been in operation since the beginning of last August.

Copy Extract of Report to Quarter Sessions.

THE reports of the surgeon are highly satisfactory, and induce your committee to believe, not only that the situation of this prison is particularly healthy, but that the system of discipline established in it does not appear to be productive of any disease or infirmity to the prisoners subject to it.

(signed)

*G. Holme Sumner,**Rev. Chas Stewart,**Francis Wightwick,**Wm Holme Sumner.**Rev. G. W. Onslow,*

Sir,

House of Correction, Guildford, January 21st, 1823.

IN reply to your letter of yesterday, I beg leave to say, that during the time the Tread Mill has been in existence, I have not witnessed a single case of sickness on the part of the prisoners that could be attributed to its use, nor can I conceive that any injurious effects are likely to be produced on the bodies or legs of those who are employed at it.

The prisoners are universally in good health, with the exception of three men who were labouring under disease at the time of admission.

G. H. Sumner, Esq.

I am, &c.

(signed) *Edw^d Jackson*, surgeon.

Sir,

Streatham Park, 30th December 1822.

ON Friday last I visited the house of correction at Brixton Hill, and particularly inquired of the governor, Mr. Green, who has been there in that office ever since the last Epiphany session, whether he ever knew or heard from any of the prisoners under his care, that the labour of the Tread Mill had effected their limbs or muscles in any way, so as to be injurious to them; and his reply was prompt and distinct. He said he never heard of such a complaint, or of any complaint of the like kind from any one of them; he stated, that he recollected asking a woman who had been at the Wheel for a month awhile ago, and who went to work with a rheumatic complaint, how she felt when she went away; and she replied, that her rheumatism was completely cured.

I now enclose the copy of a letter from Mr. Gardiner, who has been the surgeon to the house of correction at Brixton ever since its establishment, and who is well known to be a man of very superior medical attainments, and of a remarkably cool and careful judgment, which contains his deliberate opinion upon the question.

I am, &c.

Thomas Harrison.

Sir,

Streatham, 28th December 1822.

IN answer to your inquiry, whether the disease, called varicose veins, ever occurred amongst the prisoners at Brixton house of correction, in consequence of their labour at the Tread Mill, I have to state, that ever since the Mill has been established in October 1821, no such disease has ever been observed. Indeed, as far as my observation goes, I should conceive that such a disease, instead of being produced, would much more probably be prevented, in as much as, from the kind and degree of exercise made use of, the circulation in the limbs being thereby promoted, morbid distension of the vessels will be less likely to take place.

I am, &c.

W^m Gardiner.

To Thomas Harrison, Esq.

Chairman of the Quarter Sessions in the county of Surrey.

(18.)—SUSSEX.

Sir,

Lewes, 11th February 1823.

IN reply to Mr. Hobhouse's letter of the 28th ult. we have to state, that the Tread Wheel was first set up in the house of correction here, about the end of June last; but owing to some defects in the machinery, which required alteration, it could not be brought into effective operation until about 17th September; since that time, about thirty-two prisoners have been regularly employed upon it, and there is no reason to imagine, that any injurious effects either of a general or local nature have been or are likely to be produced by it. The state of the gaol in general is exceedingly healthy, and the prisoners employed in this species of labour are, at least, equally healthy with the other description of prisoners. In confirmation of this opinion, we subjoin a report from Mr. Roberts, the medical attendant on the prisoners, upon whose skill and judgment we have every reason to rely.

We have the honour to be, &c.

*George Shiffner,
T. Partington,
James H. Slater,
Henry Shiffner,*

} Visiting Magistrates of the
house of correction at
Lewes.

I do hereby certify, that no case of general disease or local accident has resulted from the use of the Tread Mill in the house of correction since its erection, either in
a medical

a medical or surgical point of view. I would also observe, that had any such accident or disease arisen, it must have passed under my observation and notice, since a medical visit is paid every day, without exception, and every, even the slightest accident, is reported.

Avery Roberts,

Lewes, January 28th, 1823.

Surgeon, attending the prisoners.

(19.)—YORKSHIRE, WEST RIDING.

Sir,

Wakefield, 28th January 1823.

YOUR letter to the visiting magistrates of the house of correction in this town, was delivered to me, as one of them, and in answer, I have to state, that the Tread Mill there is but just finished, and the prisoners have not yet been regularly set to work upon it. I expect that in a few days it will be in full force. At present, therefore, we are unable to give an account of the effects of the Mill upon the legs or bodies of the prisoners.

I am, &c.

H. Hobhouse, Esq.
&c. &c. &c.

(signed) *I. P. Heywood.*

YORKSHIRE NORTH RIDING.

Sir,

Crosbey, near Northallerton, January 30th, 1823.

I HAVE laid before the visiting justices, Mr. Hobhouse's letter of the 18th instant, and I am authorized by them to inform you, that the Tread Wheel in the house of correction at Northallerton, was first brought into use at Michaelmas 1820, and that so far from any effects injurious either to the health or limbs of the prisoners having resulted therefrom, we are of opinion that their general health is improved, and that no symptoms of any local affection have ever appeared.

I have the honour to be, &c.

The Right Honourable
the Secretary of State, &c.

W^m Dent,
Chairman of the committee.

To W. B. Dighton, Esq.

SINCE the operation of the Tread Wheel, at the house of correction, at Northallerton, have you observed any injurious effects produced either upon the bodies in general, or the limbs in particular, of the prisoners employed thereon?

And what is your opinion as to the effect of this labour upon the general health of the prisoners?

(signed) *W^m Dent,* Chairman.

To the Rev. W^m Dent, Chairman of the Visiting Committee.

Sir,

Northallerton, 26th February 1823.

IN answer to the annexed queries, I request to inform you, that the Tread Mill has been in operation at Northallerton for two years and upwards, and during that time I have not observed any injurious effects whatever produced by it, and that upon the whole, my opinion is, most decidedly, that this kind of labour is beneficial to the health of the prisoners.

I have the honour to be, &c.

W. B. Dighton, surgeon.

(20.)—EDINBURGH.

Sir,

Edinburgh, 25th January 1823.

IN consequence of the letter which I have had the honour of receiving from Mr. Hobhouse, of date the 22d instant, stating that he has been directed by you to request that I will inform you how long the Tread Wheel in the Edinburgh bridewell has been in operation, and whether I have found any injurious effects produced by it on the bodies or legs of the prisoners who have worked thereat; I now beg to transmit to you a memorandum which appears to me to embrace all the information which you are desirous of obtaining on that subject.

I have, &c.

The Right Honourable Robert Peel,
&c. &c. &c.

William Arbuthnot.

Memorandum for Mr. Secretary Peel.

THE Tread Wheels, at bridewell, commenced working in the beginning of June last, and have continued to work ever since, with the exception of occasional interruptions arising from the operations of the workmen employed in extending their number.

When first erected, the number of wheels gave employment to near thirty prisoners, including relays; latterly they have been extended, so as to employ forty-three, and when the whole are completed, they will be capable of working about sixty prisoners, including relays, which are usually in the proportion of one in four.

None of the prisoners have ever complained of any injurious effects from the labour, either in their bodies, legs, or general health, although some of them have been employed upon the Wheels for several months in succession. The prisoners are employed for nine hours daily, succeeding one another in regular rotation, by signal from a regulating bell attached to the machinery, whereby each gets an equal share of the labour.

The bell may be set so as to give any length of labour and interval of rest that may be desired. At present it is calculated to strike once every minute and a quarter, and at each stroke one man steps off at the right, and another gets on at the left of the Wheel; the rest making way by shifting from left to right. Thus on a Wheel having six prisoners at work, and two for relays, each works seven and a half minutes, and rests two and a half at a time.

25th January 1823.

Sir,

IN answer to your note regarding the effect of the Tread Wheel on the health of the prisoners in bridewell, I have to state that once only a boy called to me to say that it had made him spit blood; but as I was aware how ready such people are to complain, in order to get free of labour, I purposely passed him over, well knowing that if he became seriously ill, I, or one of my assistants, should soon hear of it. We heard no more of his spitting of blood.

Within these few weeks, when I happened to call about other business, a man was brought to me who had got his leg bruised, as he said, in coming off the Wheel. The man did not complain of the accident as any thing necessarily connected with the nature of the labour, and I was led at the time to conclude that it was produced by his own carelessness.

These, to the best of my recollection, are the only two occurrences that have taken place since the machine was erected.

I remain, &c.

Mr. Murray.

James Law, surgeon to the bridewell.

My Lord,

Middleby-street, Newington, 19th February 1823.

IN obedience to your lordship's directions, I have communicated with Mr. Law, surgeon to bridewell, regarding the effects produced upon the prisoners by working upon the Tread Wheels, and I have now the honour to enclose his reply, in which two slight cases are noticed, as the *only* two occurrences that have taken place since the Machine was erected.

With

With respect to the first of these, that of a boy who alleged the labour had made him spit blood, as nothing was ever heard of it, either before or since the time when he called Mr. Law, I conclude the allegation was merely a pretence to get free of work ; and in regard to the *second*, that of the man who had got his ankle bruised, I can state most decidedly that the accident had no connection with the labour ; but was wholly owing to his own temerity, in passing over the Wheel at a time when the ordinary covering had been removed for the purpose of some repair ; and no such accident can, by any possibility, happen to the prisoners while in the act of working upon the Wheel.

I have, &c.

D. Murray.

The Right Hon. the Lord Provost of Edinburgh,
&c. &c. &c.

TREAD WHEELS.

Copies of all

COMMUNICATIONS

Made to, or received by the Secretary of State
for the Home Department, respecting the use
of TREAD WHEELS, in Gaols or Houses of
Correction.

Ordered, by The House of Commons, to be Printed,
10 March 1823.

TREAD WHEELS.

Copy of CORRESPONDENCE between the Secretary of State and the Visiting Magistrates of Prisons in which the TREAD WHEEL has been introduced.

*Ordered, by The House of Commons, to be Printed,
20 February 1824.*

COPY OF A LETTER, addressed, by Mr. Secretary PELL's directions, to the Visiting Magistrates of the several Gaols and Houses of Correction where TREAD WHEELS have been established; dated Whitehall, Dec. 24, 1823.

Whitehall, December 24th, 1823.

GENTLEMEN,

I AM directed, by Mr. Secretary Peel, to request, that, after consulting with the Surgeon of the Prison, you will inform him, in the week of the next quarter sessions, whether any Bodily mischief or inconvenience has been experienced by the Prisoners working on the Tread Mill, in

at

I have, &c.

(signed) H. HOBHOUSE.

The Visiting Magistrates.

Communications have been received from,

- | | |
|-----------------------|-------------------------|
| (1.)—Bedford. | (13.)—Middlesex. |
| (2.)—Berks. | (14.)—Norfolk. |
| (3.)—Bucks. | (15.)—Pembroke. |
| (4.)—Cambridge. | (16.)—Somerset. |
| (5.)—Devon. | (17.)—Suffolk. |
| (6.)—Dorset. | (18.)—Surrey. |
| (7.)—Durham. | (19.)—Sussex. |
| (8.)—Essex. | (20.)—Yorkshire,— |
| (9.)—Gloucestershire. | 1. North Riding. |
| (10.)—Herts. | 2. West Riding. |
| (11.)—Lancaster. | (21.)—Appendix; Surrey. |
| (12.)—Leicester. | |

Copy of CORRESPONDENCE between the Secretary of State and the Visiting Magistrates of Prisons in which the TREAD WHEEL has been introduced.

(1.)—BEDFORD.

SIR,

Hitchin, 17 January 1824.

IN answer to the application contained in Mr. Hobhouse's letter of the 26th of December, addressed to the visiting magistrates of Bedfordshire, for information, whether any bodily mischief or inconvenience has been experienced by the prisoners working on the Tread Mill, in the house of correction at Bedford, I have the honour to transmit the report of the surgeon, and to inform you, that the visiting magistrates have, throughout the last year, sedulously attended to the effect of the Tread Mill on the prisoners, and that most of the other magistrates have occasionally, and some of them frequently, visited the house of correction with the same view, and that as well the visiting magistrates as all the other magistrates who attended the last quarter sessions, judging as well from the reports of the chaplain, the surgeon and the keeper, as from their own inspection and observation, are unanimously of opinion, that no prisoner has experienced any bodily mischief by working on this Tread Mill, nor any other inconvenience than such as is the necessary consequence of any hard labour. On the contrary, it is our opinion, that the health of the prisoners has been better than it would have been if they had continued in a state of idleness, and that this employment has tended very much to produce order and regularity amongst them.

I have the honour to be, &c.

The Right honourable Robert Peel.

(signed) *W. Wilshire*, chairman.

Bedfordshire New House of Correction,
January 14, 1824.

Gentlemen,

HAVING paid particular attention to the operation of the Tread Mill during the preceding year, upon the health of the prisoners employed, I am fully satisfied that no prisoner has sustained any bodily mischief; on the contrary, I am of opinion, that the general health of the prisoners has been quite as good as it would have been without any employment whatever.

To the Visiting Magistrates
for the county of Bedford.

(signed) *C. Short*, surgeon.

(2.)—BERKS.

Sir,

Reading, 12 January 1824.

IN reply to your inquiry communicated to us in Mr. Hobhouse's letter of the 26th ult. we have no hesitation whatever in reporting (after consulting with the surgeon attending the gaol and house of correction) that no bodily mischief or inconvenience has been experienced by the prisoners working on the Tread Mill here, but that, on the contrary, we consider the labour beneficial to the general health of the prisoners.

We have, &c.

(signed)

Robt Harris } Visiting Magistrates of the gaol and
W. Morent } house of correction at Reading.

The Right honourable Robert Peel.

(3.)—BUCKS.

Sir,

Aylesbury, 17 January 1824.

I AM directed by the visiting justices, in reply to your letter of the 26th ult. to state that no bodily mischief or inconvenience has been experienced by the prisoners working in the Tread Mill in the house of correction here; and I am further directed by them to subjoin a copy of the report of the surgeon of the prison, made to them immediately previous to the present quarter sessions. The magistrates ordered such alterations as were necessary immediately to be made, and which have effectually guarded against any repetition of the accidents therein alluded to.

I have, &c.

(signed) *Tho' Tindal,*
Clerk of the peace for Bucks.

Henry Hobhouse, Esq.

January 10th, 1824.

To the Visiting Magistrates of the Gaol and House of Correction at Aylesbury,
in the County of Buckingham.

HAVING received your commands for a certificate of the health of the prisoners, I hereby certify, that I have examined 157 prisoners, and find them in general healthy, except six in the infirmary, who are in a state of convalescence, and that they are free from any epidemical disease, which I attribute to the cleanliness and to a just application of exercise on the Tread Mill, as directed by myself and gaoler; I have invariably found the employment on the Wheel to be beneficial, inasmuch as it has appeared to me that the health of the prisoners has been materially increased by it.

I hereby certify, That I have examined every prisoner on his entrance into the prison; also examined the whole, throughout the gaol and house of correction, regularly twice in every week, as required by the late Act of Parliament, as well as being called once, twice or three times in the day, for the examination of prisoners before they are admitted into the gaol; and that I have prescribed and sent medicines for 196 prisoners, since the commencement of the late Act.

(signed) *W^m Hayward,* surgeon.

Since I presented the foregoing report, a letter has been put into my hands from the Secretary of State, which I beg leave to answer, by stating, that the prisoners have not experienced any bodily inconvenience by working at the Tread Mill; and that what few accidents have arisen have been from their own neglect.

(signed) *W^m Hayward,* surgeon.

(4.)—CAMBRIDGE.

Sir,

Cambridge, January 22, 1824.

IN compliance with the directions of the visiting magistrates of the county gaol at Cambridge, I have the honour to reply to your letter of the 26th ultimo, for the information of Mr. Secretary Peel, that the Tread Mill in this prison has not been productive of the slightest bodily mischief or inconvenience to the prisoners; but on the contrary, its use has been followed by the most beneficial results as a healthful exercise.

I have the honour to be, &c.

(signed) *John Oles,*
Surgeon to the county gaol.

Henry Hobhouse, Esq.

(5.)—DEVON.

Sir,

Castle of Exeter, Jan. 17, 1824.

I BEG leave, as chairman of the Epiphany quarter sessions for Devon, which commenced on the 13th instant, to transmit to you the enclosed documents in answer to your letter of the 26th ultimo.

I am, &c.

(signed) *Ed. P. Lyon.*

H. Hobhouse, Esq.

Sir,

I BEG leave to state that not any bodily mischief or inconvenience has been experienced by the prisoners working on the Tread Mill in the house of correction of the county of Devon.

E. P. Lyon, Esq.
Chairman quarter sessions.

(signed)

I am, &c.
Samuel Luscombe, surgeon.

Exeter, 17 January 1824.

I DO hereby certify, that I have diligently attended to the operation of the Tread Mill in the house of correction for the county of Devon, ever since erection in July 1822, and that I have never known any bodily mischief or inconvenience to have been experienced by any of the prisoners from their labour on the Tread Wheels.

(signed) *W^m Cole*,
Keeper, Devon county gaol and house of correction.

E. P. Lyon, Esq. Chairman of the Devon
quarter sessions, and Visiting Magistrate.

(6.)—DORSET.

Sir,

AS the senior visiting justice, I am deputed by my colleagues to answer the honour of your letter of Dec. 26th last, and "to inform you whether the surgeon of the prison at Dorchester conceives any bodily mischief or inconvenience to have occurred by the prisoners working on the Tread Mill." I shall copy the letter to the chairman of our sessions, from Mr. Arden, our gaol surgeon.

Sir, Dorchester, 12th January 1824.

I HAVE to inform you, that none of the prisoners in the gaol and house of correction at Dorchester, sentenced to work at the Tread Mill, and whose state of health has been such as to enable them to work at the Tread Mill, have suffered any inconvenience or received any bodily mischief from that labour.

C. B. Wollaston, Esq.
&c. &c. &c.

H. C. Arden,
Surgeon to the gaol.

SINCE the sessions I have had a conversation with the surgeon, and find that the proportion of Tread Mill work applied to the females, is much *less* than that which is applied to the male prisoners, and that whenever he has observed a tendency to injury, he takes such females wholly off the Wheel, till in a more perfect state of health. Thus no inconvenience whatsoever has been experienced, though obtained by rendering the punishment very trifling.

H. Hobhouse, Esq.

I have, &c.

(signed) *W. M. Pitt*.

(7.)—DURHAM.

Sir,

Durham, 10 January 1824.

THE visiting magistrates of the gaol at Durham, transmit the inclosed certificate as the opinion of a highly respectable surgeon, regularly appointed to that establishment. The same is in perfect union with their sentiments.

We have, &c.

(signed) *Edw. Davison*,
W. N. Darnell.

Durham, January 7, 1824.

I CERTIFY that I have attended the prisoners employed upon the Tread Mill, Durham, since its erection, during which period not the slightest injury or mischief has been experienced from its employment.

(signed) *Wm. Green*, surgeon.

(8.)—ESSEX.

Chelmsford, 15 January 1824.

THE Visitors of the gaol and house of correction at Chelmsford, beg leave to inform Mr. Secretary Peel, in answer to Mr. Hobhouse's letter of the 26th of December last, that, after consulting with the surgeon of the prison, they are not aware that any bodily mischief or inconvenience has been experienced by the prisoners working on the Tread Mill in the house of correction at Chelmsford.

The Right hon. Robert Peel,

(9.)—GLOUCESTERSHIRE.

Gloucester Penitentiary House,
January 13, 1824.

Sir,

SO far from any bodily mischief or inconvenience having arisen to the prisoners in the penitentiary house at Gloucester from working on the Tread Mill, our prison has never at any time been so free from illness of every sort as since its erection, and we have every reason to consider the exercise as most eminently conducive to health.

The Right hon. Robert Peel.

We have, &c.
(signed) *Wm. Goodrich*, } Visiting.
D. J. Niblett. } Magistrates.

Sir, House of Correction, Horseley, January 23, 1824.

IN answer to a letter received from Mr. Hobhouse respecting the Tread Mill at Horseley gaol, we, the visiting magistrates, beg leave to say, that we have consulted with our medical gentleman who attends the gaol, and that the labour has been invariably attended with salutary effects, nor has any instance of injury to the bodies or legs of the men arisen from their employment.

We have, &c.
(signed) *Peter Hawker*, Clk. } Visiting
Robert Kingscote. } Magistrates.

I do hereby certify, that the prisoners in the house of correction at Horseley, in the county of Gloucester, are in general healthy and free from any epidemical disease, which I attribute to the employment on the Tread Mill, affording much exercise, and conducive to their general health, without any inconvenience to the bodies or limbs of the prisoners.

Right hon. Robert Peel,

(signed) *Rich^d Filkin*, surgeon.

(10.)—HERTS.

WE, the undersigned visiting magistrates of the house of correction for the county of Hertford, have consulted with the surgeon of the prison, and do hereby certify, that no bodily mischief or inconvenience has been experienced by the prisoners working on the Tread Mill in the said house of correction.

(signed) *H. Ridley*, *Edw^d Bouchier*,
Thomas Lloyd, *Culling Smith*,
Tho^r Daniell, *Thomas Byron*,
Abel Smith, *W. Baker*.

Hertford, January 12, 1824.

(11.)—LANCASTER.

Sir,

Lancaster, 13th January 1824.

IN reply to the letter addressed by Mr. Hobhouse, 26th of December last, to the visiting magistrates of the county gaol of Lancaster, we beg leave to say, that after consulting with the surgeon of the prison, we do not find that any mischief or inconvenience has been experienced by the prisoners working at the Tread Mill.

The surgeon further states, that since the application of a regulator fan to the wheel, the labour has been so much reduced, and the rate so regulated, that he has not found it necessary, even to exempt persons who were slightly ruptured and wearing trusses; from the labour of the Tread Wheel.

We have, &c.

(signed)

*Edmund Hornby,**W^m Wilson Carus Wilson,**John Bradshaw,**Rich^d Atkinson,**Jos^a Hinde.*

The Right hon. Robert Peel,
Secretary of State, &c. &c. &c. Home Department.

(12.)—LEICESTER.

Sir,

Leicester, 7th February 1824.

WE have had the honour of receiving a letter from Mr. Hobhouse of the 27th of January, and are sorry that an omission in delivering to us his former letter of the 26th of December, should have caused so much delay in replying to it.

In answer to the inquiry respecting the effect of the Tread Wheel in our house of correction, upon the prisoners employed thereat, we have to communicate, that it has been in constant work more than four years; and that no person employed upon it, who is in tolerable health, appears to sustain any injurious effects whatever from the proper application of the labour.

The Wheel was originally one of 20 feet diameter, and the parties were principally worked in the inside of it.

At that time, two fatal accidents occurred from the perverseness and wilful misconduct of the men. Joseph Sumner was killed in 1821, and Thomas Saunders in July 1823, and three other persons were slightly bruised. The Wheel has been recently altered to one of five feet diameter, and of the usual construction, and we trust, that all chance of future accidents is removed.

We have, &c.

(signed)

*W. Heyrick,**M. Babington,**J. D. Burnaby.*

} Visiting
} Magistrates.

I beg leave to add my concurring testimony to the above statement.

(signed) *John Nedham,* surgeon.

(13.)—MIDDLESEX.

Sir,

Sessions House, Clerkenwell, 29th January 1824.

IN answer to your letter of the 26th of December last, requesting, that after consulting with the surgeon of the prison, we should inform Mr. Secretary Peel, whether any bodily mischief or inconvenience has been experienced by the prisoners working on the Tread Mill in the house of correction in Coldbath-fields, we have the honour to state, that we have consulted with the surgeon, who reports, that he knows of no mischief or inconvenience having been experienced by such prisoners, except in one instance, eighteen months since, when, from the breaking of a part of the machinery, two or three boys slightly sprained their ankles; and that a few nights since a woman miscarried, who had worked upon the Mill during the previous day. She had made no complaint, nor was it known that she was pregnant, otherwise she would not have been put to that sort of labour.

I am, &c.

To H. Hobhouse, Esq.
&c. &c. &c.

(signed)

Thomas Sterling,

Clerk to the Visiting Justices.

Gentlemen,

January 8th, 1824.

IN answer to your inquiry, whether any bodily mischief or inconvenience has been experienced by the prisoners working on the Tread Mill, in the house of correction, Coldbath-fields, I have to state, that I know of no mischief or inconvenience having been experienced by such prisoners, except in one instance, eighteen months since, when, from the breaking of a part of the machinery, two or three boys slightly sprained their ankles; a few nights since a woman miscarried who had worked upon the Mill during the previous day; she made no complaint, nor was it known that she was pregnant, otherwise she would not have been put to that sort of labour.

(signed)

Thomas Webbe, surgeon.

To the Gentlemen of the Committee, House of
Correction, Coldbath-fields.

(13.)—NORFOLK.

Sir,

Swaffham, 12th January 1824.

IN answer to your letter of the 26th December 1823, on the subject of the Tread Mill, we, the visiting magistrates of the Swaffham bridewell, beg leave to state, that we have consulted with the surgeon of the prison, (who has attended in that capacity for many years) and he says, that so far from any inconvenience having been experienced by the prisoners working at the Tread Mill, he thinks the exercise most salutary.

In this opinion we also perfectly coincide; and the fact is, there has not been so little sickness in the prison for many years as since the Tread Mill has been in use.

With regard to bodily mischief, it is necessary to state, that one man has lost his life by the Tread Mill; and we think we cannot explain that accident better, than by copying a paragraph which was inserted by the visiting magistrates in the Norwich newspapers, and which contains a faithful account.

“ A most unfortunate accident happened in the Swaffham gaol on Saturday last.
“ As William Burton Peeling, who had been working at the Tread Wheel, was resting
“ himself in the usual routine off the Wheel, he very incautiously kneeled down by
“ the partition which separates one working class from another, for the purpose of
“ conversing with the persons in the next division, (which is contrary to the orders
“ of the prison) and it is supposed, that in drawing himself back he lifted his head
“ within the Wheel, which drew him in, and crushed him to death in an instant. It
“ appears by the evidence upon the coroner’s inquest, that he had been holding
“ a conversation two or three times before on that morning, in the same manner, with
“ persons of the adjoining class. The coroner’s inquest was taken the next day, and
“ the unanimous verdict of the jury, was as follows:—William Burton Peeling,
“ came to his death by inadvertently and incautiously kneeling down, and was
“ caught by the Tread Wheel. We understand, that the *possibility* of such an acci-
“ dent in future is now prevented, by closing up that small aperture by which Peeling
“ attempted to hold a conversation with the next class.”

No other bodily mischief has occurred.

We have, &c.

(signed)

W^m Younge,
R. Caldwell,
Sam^l Tyssen,

J. Marcon,
W. Haggard.

(15.)—PEMBROKE.

Sir,

Haverfordwest, January 5th, 1824.

IN answer to your letter of 26th December, I beg leave to assure you, that there has never been any inconvenience felt by the prisoners from working in the Wheel. I am, perhaps, better qualified to determine this question than any other person, having been chaplain of the gaol and house of correction for the last thirty years.

I am, &c.

(signed)

James Thomas,

Visiting Magistrate for the town and county of Haverfordwest.

N. B. The gaols and houses of correction of Haverfordwest and the county of Pembroke are united.

(16.)—SOMERSET.

Sir,

Harptree Court, Old Down, January 25th, 1824.

I AM desired by the visiting magistrates of the house of correction at Shepton Mallet, in the county of Somerset, to say, in reply to your letter of the 26th of December last, that the Tread Mill commenced working on the first of last January; that it employs 60 men; that the machinery has broke in two or three instances without accident, precaution having been taken. Having consulted the surgeon, we are of opinion at present that no bodily mischief or inconvenience has been experienced by the prisoners.

I have, &c.

(signed)

W^m Waldegrave,

A Visiting Magistrate of the house of correction at Shepton.

Sir,

Taunton, January 31st, 1824.

BY the desire of the visiting justices of the house of correction at Wilton, I have to enclose a copy of the surgeon's report made at the last sessions, with reference to the working of prisoners on the Tread Wheel, and

I remain, &c.

(signed) *Edw^d Coles.*

Taunton, January 9th, 1824.

ON November the 11th, 1823, prior to the prisoners commencing their work on the Tread Mill, at the Wilton house of correction, I examined every individual in the gaol who was sentenced to hard labour, allowing only those to be employed who I considered in every respect competent to the task. Since that period the Mill has been continually at work, and I have carefully watched the prisoners so occupied, and I have great pleasure in stating no "bodily mischief or inconvenience" has been experienced by any of them. The first few days the prisoners complained of being much fatigued, but nothing more.

(signed) *J. Liddon.*

To the Visiting Justices
of the Wilton house of correction.

(17.)—SUFFOLK.

Sir,

Ipswich, January 15th, 1824.

IN conformity with your letter, we, the undersigned visiting magistrates, have consulted with the surgeon, who is decidedly of opinion (with ourselves) that no bodily injury or inconvenience has been experienced by the prisoners working on the Tread Mill.

In confirmation of this opinion, and that the prisoners themselves entertain the same, we beg leave to state, that, on inspecting the gaol this morning, we actually found three prisoners volunteering the work, and were given to understand from the gaoler, that many untried prisoners would be glad to be so employed, if allowed.

We have, &c.

(signed)

*C. Berners.**H. D. Berners.**Geo. Capper.*

P. S. No females in this prison are ever put upon the Tread Mill.

Sir,

Bury St. Edmunds, January 26th, 1824.

IN compliance with the directions communicated by Mr. Hobhouse, I have the satisfaction of acquainting you that the visiting magistrates of the house of correction at Bury, after having consulted with the surgeon, are fully convinced that no bodily mischief or inconvenience has arisen to the prisoners working on the Tread Mill, from that employment.

I have, &c.

The Right hon. Robert Peel,
&c. &c. &c.

Calthorpe.

(18.)—SURREY.

Sir, House of Correction, Brixton, January 7th, 1824.
 IN compliance with the request of Mr. Secretary Peel, conveyed in your letter of the 26th ultimo, we have consulted the surgeon of this prison, and now beg leave to state, that he is of opinion with us, that no injurious effects have been experienced that can be attributed to the labour on the Tread Mill.

(signed) *Thomas Harrison,*
Robt Hedger,
James Laing,
Thomas Page,
Thos Edwards,
J. D. Kine,
H. J. Borchard, } Visiting Magistrates.

H. Hobhouse, esq.

Sir, Guildford, January 10th, 1824.
 WE have the honour to acknowledge the receipt of your letter of the 26th ult. After consulting with the surgeon of the prison, we are of opinion, that no bodily mischief or inconvenience has been experienced by the prisoners working on the Tread Mill, in the house of correction at Guildford.

We have, &c.

(signed) *G. W. Onslow.*
Henry Drummond.
Arthur Onslow.
Laurence W^m Eliot.

H. Hobhouse, esq.

(19.)—SUSSEX.

Sir, Lewes, January 29th, 1824.
 WE must request, in the name of ourselves and the other visiting magistrates of the house of correction at Lewes, to apologize for having omitted, in the hurry of business during the sessions week, to return the information called for by your letter of the 26th ult°. We have, however, frequently, both before and since that time, directed the attention of the surgeon to the subject, and the result of his reports and of every other inquiry and observation which we could make, afford us the fullest confirmation of what was stated in a report made last year, that the labour of the Tread Wheel is not attended with any consequences prejudicial to the health of the prisoners so employed, but that, on the contrary, it operates beneficially in that respect; impressed with this conviction, we recommended at the last sessions (and the recommendation was adopted) the erection of an additional Tread Wheel, in order to keep a larger portion of the prisoners employed. It may be proper to add, that it has not been our practice to employ women on this labour, so that we have had no opportunity of estimating its effects upon the female constitution.

We have, &c.

(signed) *G. Shiffner,*
T. Partington, } Visiting Magistrates.

H. Hobhouse, esq.

(20.)—YORKSHIRE.

1.—North Riding.

Sir, Wycliffe, January 30th, 1824.
 IN pursuance of a resolution of the bench of magistrates of the last quarter sessions for the North Riding of the county of York, I have the honour to transmit to you a copy of the report of the visiting justices of the house of correction at Northallerton, having reference chiefly to the question of the labour of the Tread Wheel; also copy of a letter from the surgeon of the prison to the chairman of the committee of visiting justices on the same subject.

I have, &c.

The Right hon. Robert Peel.

(signed) *John Headlam,* chairman.

North Riding
of Yorkshire.

} At a meeting of the Justices of the Peace appointed as visiting
Justices of the House of Correction at Northallerton, the 12th
day of January 1824.

Present:

William Dent, clerk, (chairman.)

Right Hon. Earl of *Tyrconnel*.

Hon. *Thomas Monson*.

Richard W. C. Peirse, esquire.

Richard Blanshard, esquire.

James Wilson, esquire.

The following report was unanimously agreed to:—

In pursuance of the order of court of Michaelmas sessions, 1823, the Rev. J. Bowness has been licensed by the Archbishop of York to officiate as chaplain in the house of correction, prayers have been regularly read by him in the chapel every morning; divine service, both morning and evening, has been duly performed by him on every Sunday, and on Christmas day, and such other duties regularly attended to by him in the jail, as are required by statute 4 Geo. IV. c. 64.

And the committee are glad to learn from him, and the officers of the prison, that a due regard has been paid by the prisoners to the important objects of his appointment.

The committee have at different times, both individually and collectively, visited and inspected every department of the jail; they have uniformly found it clean and well ventilated.

They have given their best attention, to introduce as far as is practicable, all those regulations which the late statute has laid down as the code of prison discipline.

The insufficiency of the present buildings to afford classification is well known to the court; but in every instance in the arrangement of the prisoners (so far as the present accommodations will admit of) the visiting justices have never lost sight of the great principle of classification, in the separation of persons charged with serious crimes, from those of a less heinous character, and in preventing that exposure to contamination which would arise if the juvenile and unexperienced were indiscriminately to be associated with old and notorious offenders.

It is satisfactory to the visiting justices to report, that notwithstanding the comparative smallness of the number of persons committed this quarter, the Tread Mill has been kept constantly at work.

Much as this valuable invention has been assailed and condemned, the committee are more strengthened in their opinion that it is neither prejudicial to the health, nor injurious to the limbs of the prisoners, and that the specious objection of its disgrace so plausible with men in the higher ranks of society, does not in reality attach to it.

From the introduction of this as employment, the visiting justices in common with every attendant and officer of the jail, have witnessed the most beneficial results, and cannot but consider it as essentially contributing to the good order of the prison.

The visiting justices have paid minute attention to the effect of this employment upon females, and give it as their decided opinion, that there is nothing in the employment (under the regulations adopted at Northallerton) either repugnant to common delicacy, or injurious to the health of females.

The visiting justices have had frequent conversation with those so employed, all of whom have readily admitted that the labour of washing in particular, and many other avocations which females in the lower situations in life are obliged daily to follow, are much more severe.

The visiting justices are not ignorant that the compartment of the Tread Wheel, appropriated to women, would be productive of greater pecuniary profit, if worked by the men; indeed it frequently occurs (from the comparative smallness of the number of females committed) that a power of not more than two or three women can be made available; but as the first object of a house of correction must be to ensure an equal certainty of correction to all who are consigned to it, the justices have directed that the Wheel graduated purposely for females, should uniformly be worked by them only.

The visiting justices have also had another object in view, viz. to counteract as far as possible, that unfounded prejudice which at present exists against this as an employment for females, by opposing to it the result of three years observation, that

consistent

consistent with every principle of humanity, delicacy and sound legislation, the Tread Mill is applicable for the employment of both sexes.

The court will perceive with satisfaction, by the returns now laid upon the table, that the number of prisoners in the last quarter has been materially less than in the corresponding quarter of the three preceding years.

In obedience to a letter from the Right hon. the Secretary of State for the home department, addressed to the visiting justices, they have made diligent inquiry as to the information required, and have to report, that during the three years that the Tread Mill has been in operation at the house of correction at Northallerton, they have been unable to find that any accident has occurred either to prisoners working thereat, or any other person, except the case of John Hopper, confined on a charge of felony, who, on the 9th of April 1822, being at work in the compartment No. 1, incautiously, and in defiance of repeated remonstrances from the other prisoners, attempted whilst the wheel was revolving, to put his hand through an aperture that had been inischievously made by some of the prisoners, between two of the steps of the treadle, to give something to a person in the adjoining compartment No. 2. Whilst in the act of doing this, his coat sleeve became entangled between the steps of the wheel and the division wall; he was instantly thrown down, and carried under the wheel; his arm was so much shattered, as to render amputation necessary. Immediately upon his being so entangled, the rest of the prisoners jumped off the Wheel, and by thus stopping the power, a more serious accident was prevented.

The visiting justices have ascertained that no blame attached to any one except the individual alluded to; and it is most evident, that the accident is in no other way connected with the operation of the Tread Wheel, except so far as this, that all machinery if incautiously meddled with, may be the occasion of accidents.

The misfortune here, however, did not arise from the ordinary use of the Tread Wheel, but from the abuse of it, and can neither in fairness or in fact, be adduced as an argument against the general principle of its operation.

The annexed sketch will tend to illustrate and explain those observations, with which the visiting justices have thought it right to accompany the simple narrative of the accident.

W^m. Dent, chairman.

(Copy.)

Sir,

Northallerton, January 12th, 1824.

I HAVE the honour to acquaint you, for the information of the Right honourable the Secretary of State, that upon a reference to my journal, I do not perceive any casualty occasioned by the Tread Mill in this prison of sufficient importance to be reported, except the case of John Hopper, who, from his own very wilful and improper conduct upon the 9th day of April 1822, suffered so severe an injury of the arm, as to render immediate amputation necessary.

I avail myself of this opportunity to inform you, that after an experience of three years and upwards, I have no reason to alter the opinion I before gave you, that the health of the prisoners is benefited, and in no instance has it been injured by this mode of employment, and that so long as the regulations* adopted in this jail are attended to, I see no reason to apprehend that even the female prisoners are exposed to injury or greater inconvenience than they would be by any other description of employment.

I am, &c.

The Rev^d W^m Dent,
Chairman of the Visiting Justices.

(signed) *W. B. Dighton.*

Sir,

Crosby Cote, 22d January 1824.

IN obedience to Mr. Hobhouse's letter of the 26th ult. I am directed by the visiting justices of the house of correction at Northallerton to transmit, for your information, the annexed report, which, after consulting with the surgeon of the gaol, was unanimously agreed to. I am also requested by the visiting justices to lay before you a letter, addressed to them by the surgeon, containing his opinion on the subject under investigation.

I have, &c.

The Right hon. the Secretary of State,
&c. &c. &c.

(signed) *W^m Dent.*

P. S. The letter of the surgeon is given above.

* The regulations in this prison, are, to exempt from the operation of the Tread Mill, all prisoners afflicted with fits, with hernia, and those having ulcerated legs, pregnant women, and women under any of the circumstances peculiar to their sex.

North Riding } AT a Meeting of the Justices of the Peace appointed as Visiting
of Yorkshire. } Justices of the House of Correction at Northallerton, holden
at the Sessions House, at Northallerton, the 12th day of
January 1824.

Present:

William Dent, clerk (chairman).
The Right Hon. the Earl of *Tyrconnel*.
The Hon. *Thomas Monson*, clerk.
Richard W. C. Peirse, }
Richard Blanshard, } Esquires.
James Wilson,

Resolved unanimously:

In obedience to an inquiry by the Right honourable the Secretary of State, "whether any bodily mischief or inconvenience has been experienced by the prisoners working on the Tread Mill in the house of correction at Northallerton," addressed to the said visiting justices, they have given their most diligent attention to the subject, and have to report, that during the three years that the Tread Mill has been in operation in the house of correction at Northallerton, they have been unable to learn that any accident or inconvenience has occurred either to the prisoners working thereon, or to any other person, except in the case of John Hopper, a prisoner, confined on charge of felony, who, on the 9th day of April 1822, being at work in the compartment N° 1, incautiously, and in defiance of repeated remonstrances from the other prisoners, attempted, whilst the Wheel was revolving, to put his hand through an aperture that had been mischievously made by some of the prisoners between two of the steps of the treadle, to give something to a prisoner in the adjoining compartment, N° 2. Whilst in the act of doing this, his coat sleeve became entangled between the steps of the treadle and the partition wall; he was instantly thrown down, and carried under the Wheel; his arm was so much shattered as to render amputation necessary. Immediately upon his being so entangled, the rest of the prisoners jumped off the Wheel; and by thus stopping the power a more serious accident was prevented. The visiting justices have ascertained that no blame attached to any one, except the individual alluded to; and it is most evident that the accident is in no other way connected with the operation of the Tread Mill, except so far as this, that all machinery of a certain power may be the occasion of accidents, if incautiously meddled with. The misfortune here, however, did not arise from the ordinary use of the Tread Mill, but from the abuse of it; and can neither in fairness or in fact be adduced as an argument against the general principle of its operation.

For the Right Honourable
The Secretary of State.

W^m. Dent, chairman.

2.—West Riding.

Sir,

Wakefield, 19th January 1824.

IN pursuance of your letter, dated the 26th December 1823,

I herewith send you the report of the surgeon and governor of the house of correction at this place, whereby it appears that no bodily mischief or inconvenience has been experienced by the prisoners working at the Tread Mill. On the contrary, they think that the general health of the prisoners is improved by its adoption; and, from my experience as a visiting magistrate, I concur in their opinion. The Tread Mill here is confined to male prisoners: no women have worked on it.

I am, &c.

(signed)

J. P. Heywood,

H. Hobhouse, Esq. &c. &c. &c.

Chairman of Wakefield Sessions.

THIS is to certify, that no injurious effects have arisen from the use of the Tread Mill in Wakefield house of correction; but we conceive that the general health of the prisoners is improved by its adoption.

(signed)

W. Walker, surgeon.

January 14, 1824.

James Shepherd, keeper of the said house of correction.

APPENDIX—SURREY.

Copy of a Letter addressed, by direction of Mr. Secretary Peel, to the
Clerk of the Peace, for the County of Surrey.

Sir,

Whitehall, 20th January 1824.

I AM directed by Mr. Secretary Peel, to desire that you will transmit for his information copies of the report of the visiting magistrates of the house of correction, at Guildford (together with the supplement thereto) presented to the general quarter sessions, held at Newington, on the 13th January 1824; also the report of the visiting magistrates of the house of correction at Brixton, to the same; and also of the resolution agreed to thereon, by the whole bench of magistrates.

I am, &c.

The Clerk of the Peace,
for the county of Surrey.

(signed) *H. Hobhouse.*

Sir,

Clerk of the Peace's Office, North-street, Lambeth,
22nd January 1824.

I HAVE the honour to transmit to you copies of the reports of the visiting magistrates of the houses of correction at Brixton and Guildford, and of the resolution of the last session, on the subject of the Tread Mill.

I have, &c.

(signed) *Charles John Lawson.*

The Right honourable Robert Peel,
&c. &c. &c.

Surrey.—AT the general quarter session of the peace of our Sovereign Lord the King, holden at Saint Mary Newington, in and for the county of Surrey, on Tuesday, in the week next after the feast of the Epiphany of our Lord, to wit, the thirteenth day of January, in the fourth year of the reign of our Sovereign Lord George the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, before Thomas Harrison esquire, Sir Thomas Turton baronet, Thomas Sampson doctor in divinity, Thomas Edwards doctor of laws, Jefferys Thomas Allen, Lancelot Baugh Allen, Edward Bilke, Henry James Barchard, John Ivatt Briscoe, William Ballantine, William Crawford, Thomas Coles, Ebenezer John Collett, Henry Drummond, William Joseph Denison, Solomon Davies, Charles Elliott, Thomas Gaitskell, Charles David Gordon, Robert Hudson, Robert Hedger, William Holmer, Randle Jackson, William Jones, David King, Thomas Lett, James Laing, William Nottidge, John Acworth Ommaney, Charles Nicholas Pallmer, Thomas Page, John Plummer, Thomas Price, John Rogers, Frederick Reeves, Robert Rich, George Holme Sumner, John Scriven, William Holme Sumner, William Speer, Benjamin Shaw, John Spicer, James Sparks, Samuel Thornton, James Trotter, William Thornton, Francis Wightwick, John Woolley, Robert Welbank, John Whitmore, Florance Young, esquires; John Courtney, Charles Jerram, George Walton Onslow, Arthur Cyril Onslow, Thomas Snell, Henry Williams, clerks; Justices of our said Lord the King, assigned to keep the peace in the county aforesaid, and also to hear and determine divers felonies, trespasses, and other misdeeds committed in the said county.

Resolved, That in the opinion of this court, the Tread Mill has, in an eminent degree, answered the purposes of its institution, both moral and judicial, and that the reports this day made by the visiting magistrates of the respective houses of correction, are highly satisfactory, as well as the reports of the surgeons attached to those establishments, in whose opinions no effects injurious to the health of the prisoners have yet occurred.

By the Court.

(Copy.)

Report relative to the Cases of the women, Loder and Hall, nourishing Infants at the breast, and having been subjected to work on the Wheel.

THE woman, Loder, was committed by the petty sessions at Guildford, (the Rev. G. Walton Onslow, chairman) on the 11th of October last, on a charge by the parish officer of Godalming, of having been delivered of a bastard child, and being then chargeable to that parish. It appeared that the said bastard was her third child by three several fathers; and the court, considering her case too aggravated to admit of an entire remission of the punishment directed by the statute in such cases, and the overseers of the parish, by direction of the vestry, requesting an example to be made, sentenced her to the mitigated term of three months confinement to work in the house of correction. She was put upon the Wheel on the 13th, but on account of the feeble and emaciated state in which she appeared at that period, (which she represented as the effect of poverty and insufficiency of food, having, as she stated, had nothing but potatoes for many days prior to and three days subsequent to the birth of her child) and of her insufficient supply of milk for the nourishment of her infant, the preservation of whose life was considered very precarious by the surgeon, she was not put upon the Wheel again for the next fourteen or fifteen days of her imprisonment, nor till extra allowance of food for her, and 12 ounces of bread and an ounce of sugar per diem for pap for the child, had insured the life of the child, and so far recruited the mother's strength, that at her own desire, as being a preferable state to remaining alone all day in her ward, she desired to go to work with the other women upon the Wheel. Her hours of actual work upon the Wheel were from half past eight or nine to twelve in the forenoon, and from half past one to four in the afternoon. Her periods of work upon the Wheel never exceeded fifteen minutes, nor the remission ever less than ten, and frequently fifteen minutes, when the numbers at work admitted of it. She was weighed on the 31st October, after four or five days of work, and then weighed eight stone two pounds; and again on the 13th December, having worked through the whole of that interval, and was found to have gained nine pounds weight. On the 15th December she took cold, and was by the surgeon's order confined to her ward; and between that day and the 2d January, the period of her liberation, lost two and a half pounds weight. She has declared she was better fed, and had more care taken of her, and was altogether more comfortable during her imprisonment than she had ever been before; that she had gained health and strength during the time she was subject to work on the Wheel; and on her leaving the prison, expressed much apprehension that she should not fare so well on her return home.

The woman, Hall, a vagrant, was in robust health when committed by the Rev. Mr. Onslow, and continued so during the month's imprisonment to which she was sentenced; and so far from her or her child failing in health during that period of regular work on the Wheel with other women, the exuberance of her milk beyond what her infant could consume, was such, that to relieve her from the pressure of it during the greatest part of her stay there, she prayed to be permitted to suckle Loder's child, and did so to the end of her confinement. Hall needed none, and had no extra allowance of food for herself, and her child was so abundantly nourished from her breast, that the allowance of bread and sugar for pap for her child were seldom, if ever, in a day consumed. The children of each woman were on the laps of the women at rest during the time the mothers were respectively employed on the Wheel.

(Copy.)

To his Majesty's Justices of the Peace for the county of Surrey, in general quarter session assembled.

WE, whose names are hereunto subscribed, five of the visiting magistrates of the house of correction at Brixton, do report, That since the last session we have held frequent meetings there, and minutely examined into the condition and treatment of the prisoners therein; and also into the conduct of the governor and other officers to whom the management of the establishment has been intrusted, with which we are well satisfied. And we further report, that the mill and machinery are in excellent order;

order; and that in pursuance of the authority given to us, at the last general quarter session, we have caused glazed sashes to be fixed in the apertures of the front walls of the day rooms, belonging to the several classes of prisoners; and we beg to recommend, that authority be given to the succeeding visitors to construct a screen or back, to each of the benches on which the prisoners rest, during the intervals of their labour, to prevent any ill effects which might possibly be produced by currents of cold air at such periods. And we further report, that the health of the prisoners since the last report, has been generally very good, and their behaviour for the most part orderly; with the exception, however, of serious insubordination, and a strong disposition to violence, exhibited in one of the classes, in the month of November last, immediately subsequent to, and as we have ample reason to believe, occasioned by the visit of a magistrate of the county, and by his indiscreet conversation with the prisoners, and his refusal to hear such explanations as the turnkey, in attendance upon him requested to be allowed to give with respect to the answers made by some of the prisoners to questions put to them by such magistrate. And we further report, that we are particularly gratified, by being enabled to state, that the number of prisoners has of late considerably decreased; the present numbers are as follows; males 113, females 29, making a total of 142, of which 27 are soldiers, or marines, committed under the sentences of courts martial; and 6 are persons committed by the aldermen of London, as justices of the peace for the borough of Southwark only, neither of which descriptions of prisoners was contemplated as necessary to be provided for, when the house of correction at Brixton was erected. Owing to the diminished number of prisoners, the earnings of the Mill during the last have been somewhat less than those of the preceding year. Plenty of grist has, however, been sent to the Mill, and there is every reason to expect the continuance of an ample supply.

Dated this 7th day of January 1824.

Thomas Harrison.

Robert Hedger.

James Laing.

Thomas Edwards.

Henry J. Barchard,

(Copy.)

To His Majesty's Justices of the Peace, in general quarter sessions assembled.

WE, the undersigned magistrates, appointed visitors of the house of correction at Guildford, in this county, do report, That we have repeatedly visited the said house of correction, and have minutely inspected the wards, cells, and other buildings, since the last quarter sessions, and that we have invariably found the greatest cleanliness prevail throughout the whole prison. That the garden is well cultivated, and fully stocked with vegetables, for the use of the prisoners; and we have much satisfaction in reporting, that the regulations established for the management of the prison, have been strictly and very beneficially enforced by the governor.

Mr. Jackson, the surgeon, reports favourably of the general health of the prisoners, and still continues to think the system of discipline established does not appear to be productive of any particular disease or injury to those subjected to it. He recommends that the windows of the day-rooms of the prison should be glazed.

The chaplain made a good report of the conduct of the prisoners at chapel.

The governor, by his unremitting attention to the duties of his office, merits our warmest approbation; and Mrs. Keene, the governor's wife, having performed the duties of matron to the prison since the last session. We are satisfied that she is well calculated to continue in that office, and do accordingly beg leave to recommend to the court that she be appointed permanent matron.

We have examined the several bills for bread, meat and coals, and other incidental charges incurred in the last quarter, together with the bills of the secretary and governor, and have certified the same. It cannot have escaped the attention of the members of the court, that incessant efforts have been made, and are still making, to prejudice the public mind against the modern system of punishing criminals by labour on the Tread Wheel. That in addition to and in support of the general clamour excited against the application of that system to the punishment of females, a strong and pathetic appeal has been lately made to the sympathies of a British public, against the practice of subjecting women, with infants at their breasts, to this discipline; and two cases of alleged cruelty have been held up to public execration;

execration, in which the conduct of the magistrates of the bench at Guildford, and of the visiting magistrates of this house, have been reprobated, and the higher authorities called upon to interpose, and liberate the sufferers from torture, and dismiss the committing magistrates from the future exercise of their functions; and a strong call has been made upon the surgeon attached to this establishment, to give, through the medium of the public press, explanatory particulars relative to the cases alluded to. Your committee have not felt themselves amenable to calls made upon them through such channels, and having disapproved a former communication made by Mr. Jackson to the editor of a public print; have felt it their duty peremptorily to restrict him, in this and all future cases, from making any reply to calls of any nature, except from the Secretary of State, the houses of Parliament, or this court, unless by the special authority of the visiting magistrates for the time being; they have nevertheless felt it their duty to inform themselves of the facts of the cases alluded to, and for the guidance of their own future conduct in this respect, to examine Mr. Jackson, not only as to these particular cases, but to require his opinion as to the effects likely to result from the infliction of labour on the wheel upon women similarly circumstanced; and lest the minds of any members of the court should have been influenced by the high coloured and inflammatory misrepresentations thus exhibited to the public, or that the court should think it right to correct the false impressions the statements made in these prints are calculated to (and, as it appears, have it for their object to) make upon the public mind, to the prejudice of this most efficient system of corrective punishment, they have prepared, and are ready to exhibit it, if it shall be the pleasure of the court to call for it, a supplementary report on the two cases, together with the opinion of the surgeon, specially as to them, and generally as to the application of work upon the Wheel to women suckling infants; on their own behalf, however, they feel it due to themselves, and do not hesitate to declare, that the result of their inquiry has fully satisfied their own minds, that what has been done in the commitment and punishment of these women, has not only been in strict conformity to the directions of the statute, but has violated no feeling of humanity by which they are sensible it is their duty, as it is their inclination, to regulate their conduct in the execution of that statute; and so fully are they satisfied on this point, that till an alteration shall be made in the law, to restrict them from so doing, they will continue to execute its provisions in all cases where (as they think of the present cases) nothing in the actual state of health or strength of the offenders would warrant the exercise of their discretion, in mitigation of the severity they enjoin.

*G. W. Onslow
Henry Drummond.*

TREAD WHEELS.

Copy of CORRESPONDENCE between the
Secretary of State and the Visiting Magistrates
of Prisons in which the TREAD WHEEL has been
introduced.

Ordered, by The House of Commons, to be Printed
20 February 1824.

TREAD MILLS.

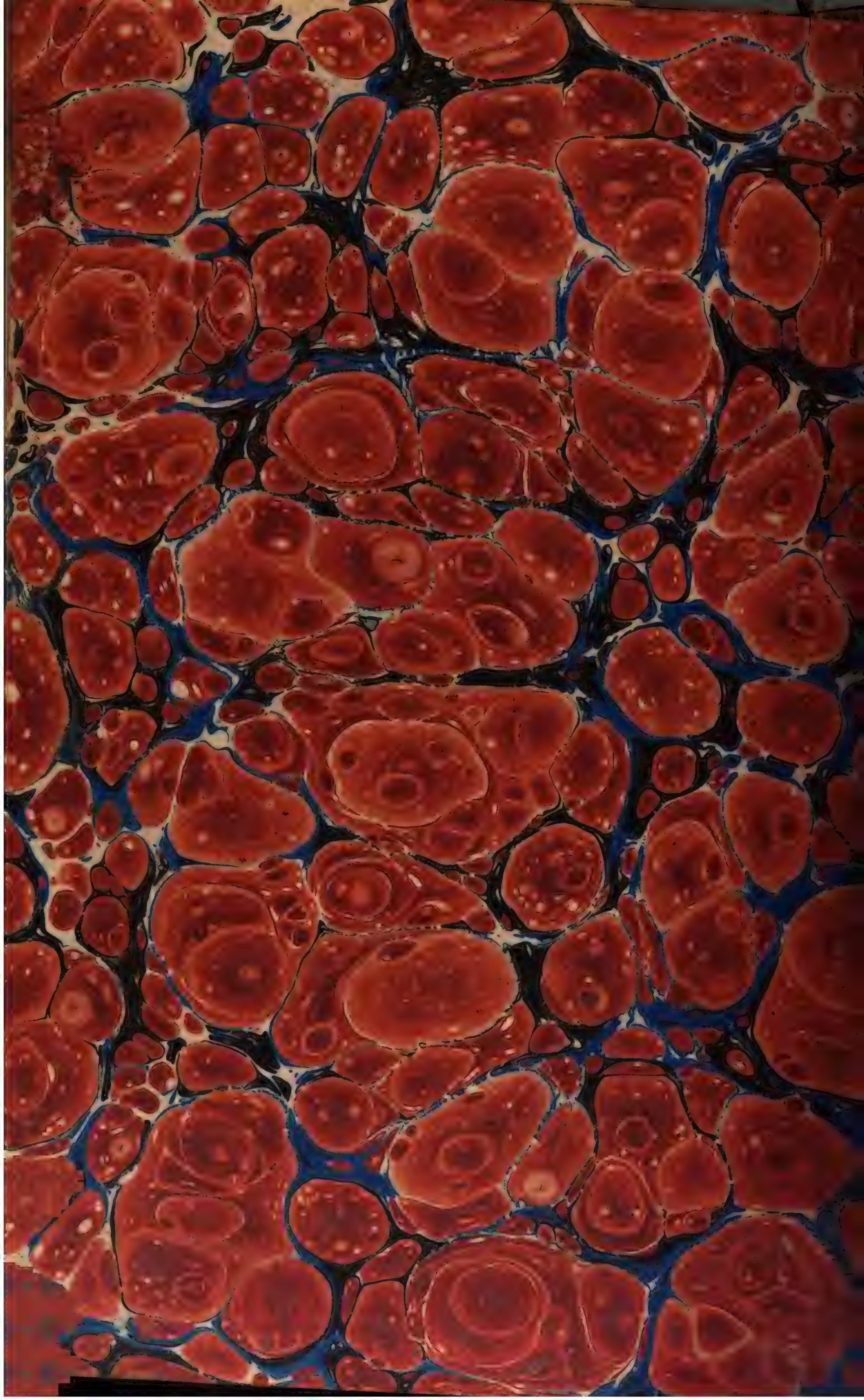
A detailed STATEMENT respecting the TREAD MILLS in the several GAOLS of *England* and *Wales*; showing, The Diameter of the Wheels; the Number of Steps on their Circumference; the Number of Prisoners each Wheel will hold at one time; the Number on; the Number off; the Hours of Labour in Summer and in Winter; and the Number of Steps made in one minute.

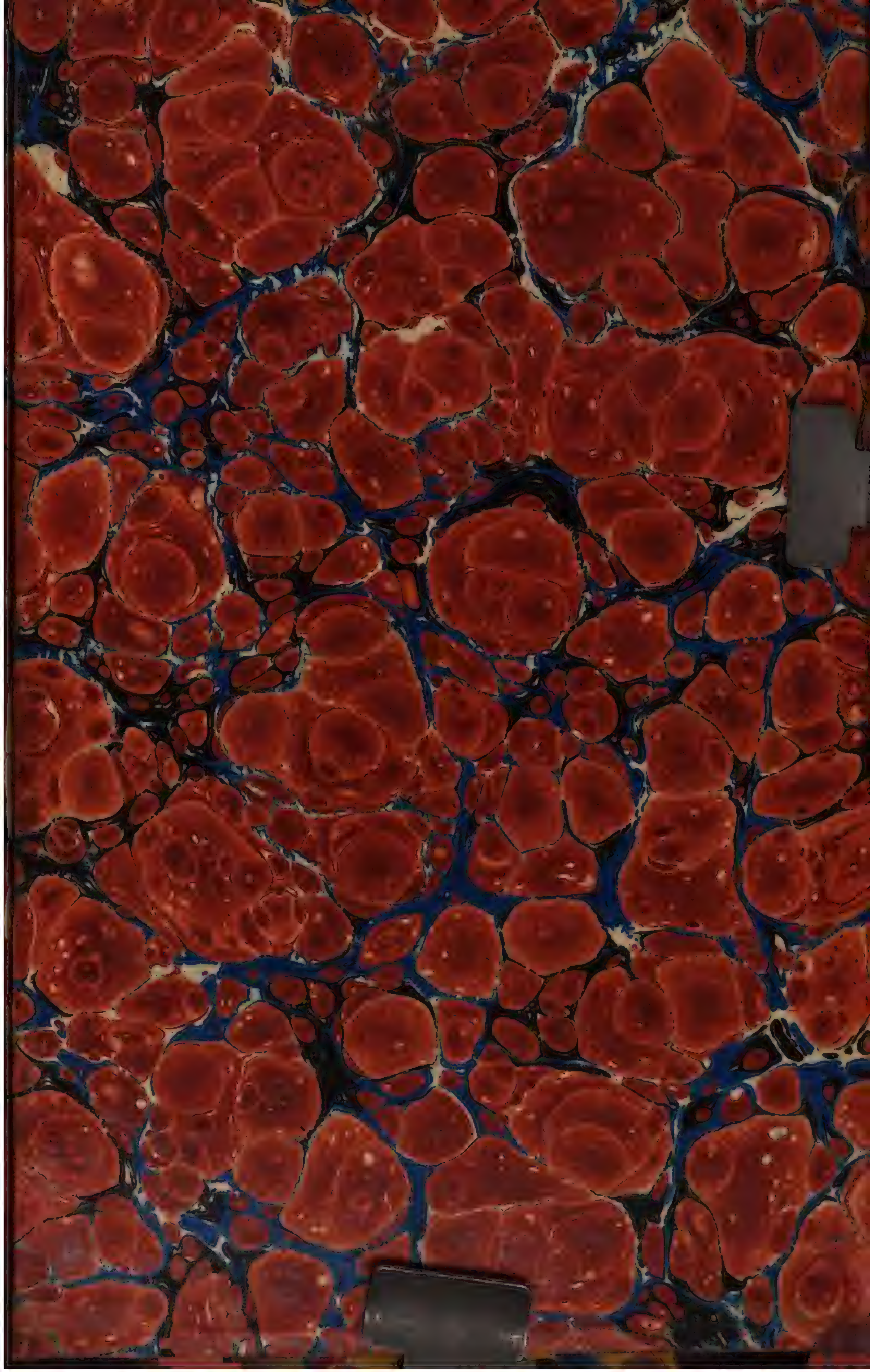
GAOLS, OR HOUSES OF CORRECTION.	Diameter of the Wheel.	Number of Steps on the Circum- ference.	Number of Prisoners the Wheel will hold at one time.	The Number on.	The Number off.	The Hours of Labour :		The Number of Steps in one Minute.
						Summer.	Winter.	
	<i>feet. inch.</i>							
Bedford, - - New House of Correction - - -	5 2	24	24	24	12	9	6	40 to 48
Bedford, - - Old House of Correction - - -	5 4	24	12	12	4	9	6	40
Berks, - - - County Gaol - - - N ^{os} 1 & 3	5 2	24	10	9	5	10	8	48
D ^o - - - - - d ^o - - - - - N ^{os} 2 & 4	5 2	24	9	9	5	10	8	48
Cambridge, - County Gaol - - - - N ^o 1	5 -	24	18	18	9	10	7	51
D ^o - - - - - d ^o - - - - - N ^o 2	5 -	24	12	12	6	10	7	51
Chester, - - - County Bridewell at Knutsford - N ^o 1	5 8½	24	10	10	5	10	7	48
Devon, - - - County House of Correction - N ^o 1	5 -	24	18	18	8	8	7	48
D ^o - - - - - d ^o - - - - - N ^o 2	5 -	24	18	18	6, 7, or 8	8	7	48
D ^o - - - - - d ^o - - - (for females) - N ^o 3	5 -	24	18	half	half	8	7	48
Dorset, - - - County Gaol - - - - N ^o 1	5 -	24	16	¾	¾	10	6	48
D ^o - - - - - d ^o - - - (for females) - N ^o 2	5 -	24	16	half	half	10	6	48
Durham, - - - County Gaol - - - - -	5 6	29	24	24	8	8	6	58
Essex, - - - House of Correction at Chelmsford, N ^o 1	5 -	24	18	18	6	10	6	42
D ^o - - - - - d ^o - - - - - d ^o - N ^o 2	5 -	24	18	18	9	10	6	42
D ^o - - - - - d ^o - - - - - at Halsted - -	5 -	24	9	9	3	10	7	38
Gloucester, - Penitentiary House - - - -	5 -	24	40	28 to 40	18 to 24	9	5	48
D ^o - - - - - House of Correction at Horsley -	5 -	24	12	12 or 10	6 or 5	10	5	48
Hants, - - - House of Correction at Winchester -	5 -	24	14	vary		5 to 6		48
D ^o - - - - - d ^o - - - - - at Newport -	4 10	24	9	half	half	8	8	80
Hertford, - - County House of Correction - -	5 -	24	40	32	8	9	8	48
St. Alban's - House of Correction - - - -	5 -	24	12	6	6	9	7	50
Lancaster, - County Gaol - - - - -	5 6	24	6	6	3	10	7	48
Leicester, - - County House of Correction - -								
Lincoln, - - - County Bridewell at Louth - -	6 -	24	12	12	12	10	7	48
Boston, - - - Borough Gaol - - - - N ^o 1	6 4	26	8	half	half	9	5	70
D ^o - - - - - d ^o - - - - - N ^o 2	6 4	26	6	half	half	9	5	70
Middlesex, House of Correction in Cold Bath Fields -	5 -	24	27	24	12	9½	6½	44
D ^o - - - - - do - - - - - d ^o - (for females)	5 -	24	27	24	24	6	4	44
Norfolk, - - House of Correction at Swaffham -	5 -	24	52	52	16	8	5 to 6	42
D ^o - - - - - d ^o - - - - - at Wymondham,	4 10	24	14	14	2	8	6	32
Newcastle-upon-Tyne, Bridewell - - - - -	5 7	29	8	8	8	6	5	87
Nottingham, County House of Correction at Southwell, } N ^{os} 1 & 2 }	5 4	24	12	12	4	8	5	48
D ^o - - - - - d ^o - - - - - d ^o , N ^{os} 3 & 4	5 4	24	12	12	4	8	5	36

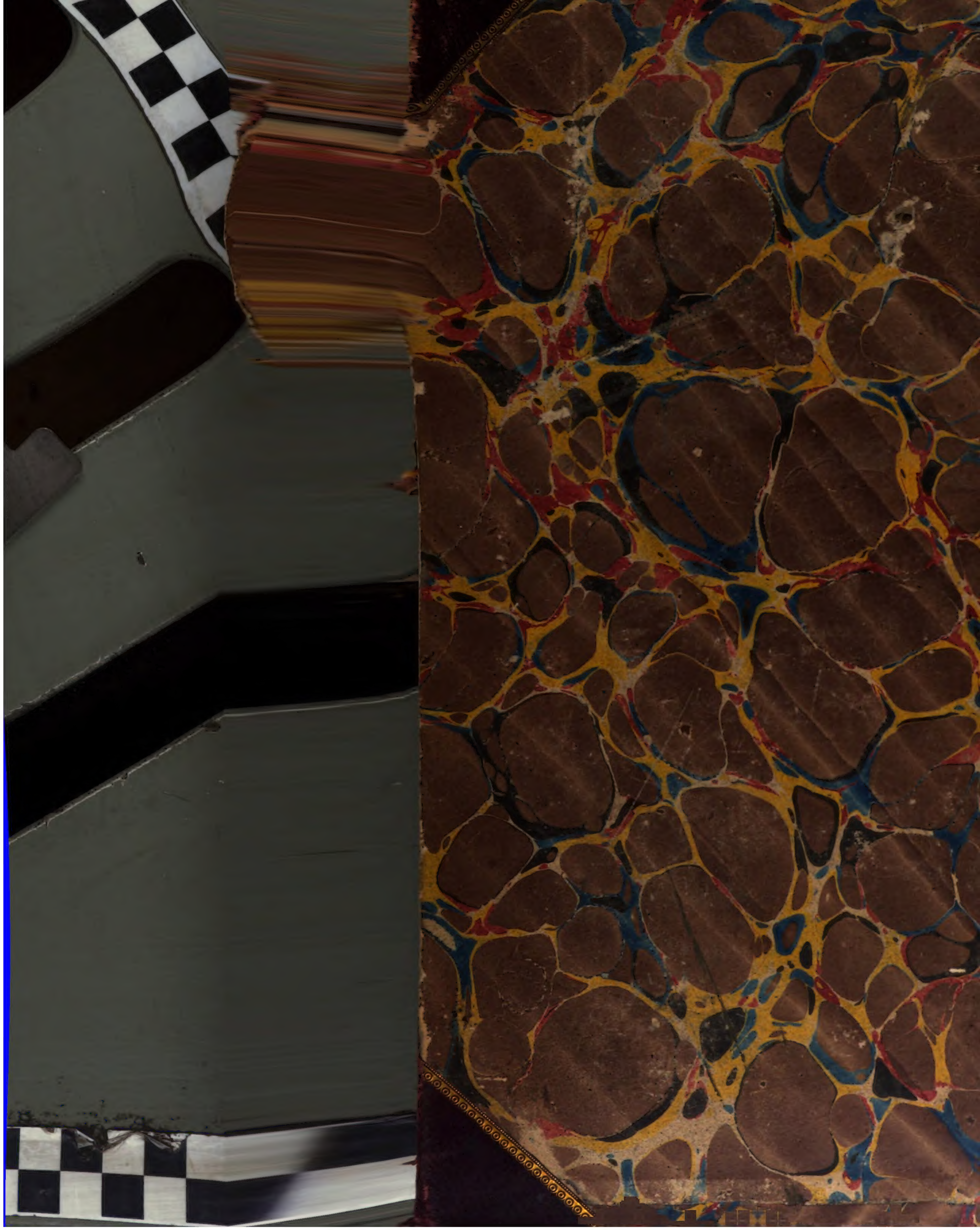
GAOLS, OR HOUSES OF CORRECTION.	Diameter of the Wheel.	Number of Steps on the Circum- ference.	Number of Prisoners the Wheel will hold at one time.	The Number on.	The Number off.	The Hours of Labour:		The Number of Steps in one Minute.
						Summer.	Winter.	
	<i>feet. inch.</i>							
Somerset, House of Correction at Shepton Mallet, N ^o 1.	5 -	24	4	4	2	7	6	48
D ^o - - - - - d ^o - - - - - d ^o - - - N ^o 2	5 2	24	9	9	3	7	6	48
D ^o - - - - - d ^o - - - at Wilton - -	5 -	24	12	12	4	8	8	48
Stafford, - - County Gaol - - - - -	5 6	30	11	11	5	10	7	60
Suffolk, - - - County Gaol at Bury St. Edmunds. -	5 -	24	14	$\frac{2}{3}$	$\frac{1}{3}$	10	- -	48 to 50
D ^o - - - - - d ^o - - - Ipswich - - -	5 -	24	28	28	12	10	7	40
Surrey, - - - House of Correction at Brixton, N ^{os} 1 & 2	5 -	24	18	18	6	10	As long as daylight permits.	48
D ^o - - - - - d ^o - - - d ^o - - N ^{os} 3, 4, 5 & 6	5 -	24	15	15	5	10		48
D ^o - - - - - d ^o - - - d ^o - - - N ^{os} 7 & 8	5 -	24	9	9	3	10		48
D ^o - - - - - d ^o - - - d ^o - - - N ^{os} 9 & 10	5 -	24	6	6	2	10		48
D ^o - - - - - d ^o - - - at Guildford - -	4 9	24	9	9	3	10		48
Sussex, - - - County Gaol - - - - -	6 -	30	18	18	18	9 $\frac{1}{2}$	7 $\frac{1}{2}$	45
Warwick, - - County Gaol - - - - - N ^o 1	7 -	30	8	8	4	10	5 $\frac{1}{2}$	60
D ^o - - - - - d ^o - - - - - N ^o 2	7 -	30	8	8	4	10	5 $\frac{1}{2}$	48
D ^o - - - - - d ^o - - - - - N ^o 3	7 -	30	8	8	4	10	5 $\frac{1}{2}$	36
York, County House of Correction at Northallerton, } N ^o 1 }	5 -	24	32	24	8	10	7	45
D ^o - - - - d ^o - - - - - do - N ^o 2	5 -	24	16	10	6	8	7	45
D ^o - - - - d ^o - - - - - d ^o - N ^o 3	5 -	24	6	4	2	8	7	35
D ^o - - - - d ^o - - - - - at Wakefield -	5 -	24	32	24	8	10	7 $\frac{1}{2}$	44 to 48
Pembroke, - County Gaol - - - - -	5 -	24	5	2	2	9 $\frac{1}{2}$	5 $\frac{1}{2}$	48

Home Department, }
April 15, 1824. }

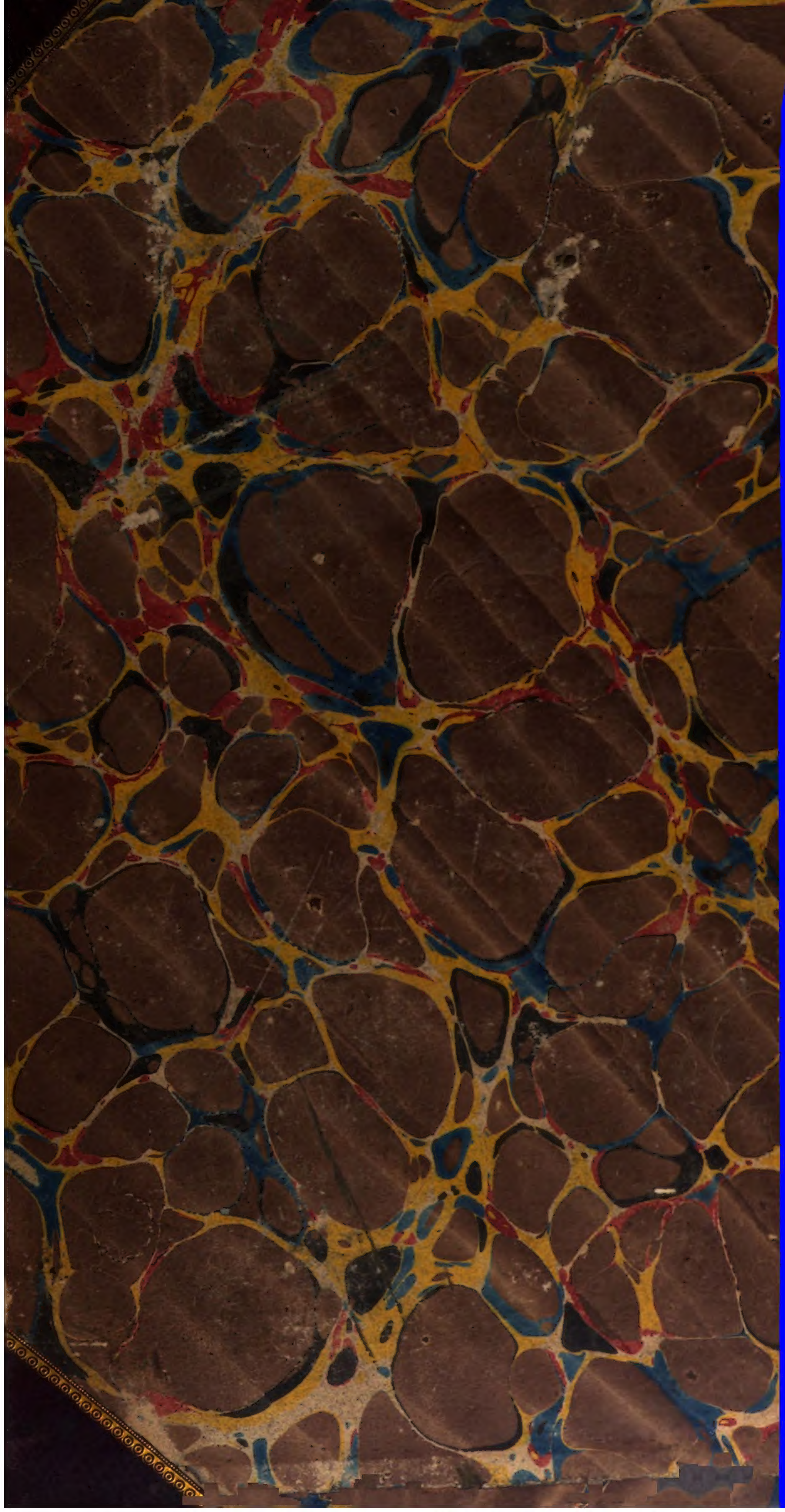
H. Hobhouse.











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